GEN. HAIG OF WOUNDED KNEE **MARTIN GARBUS**

THE NATION

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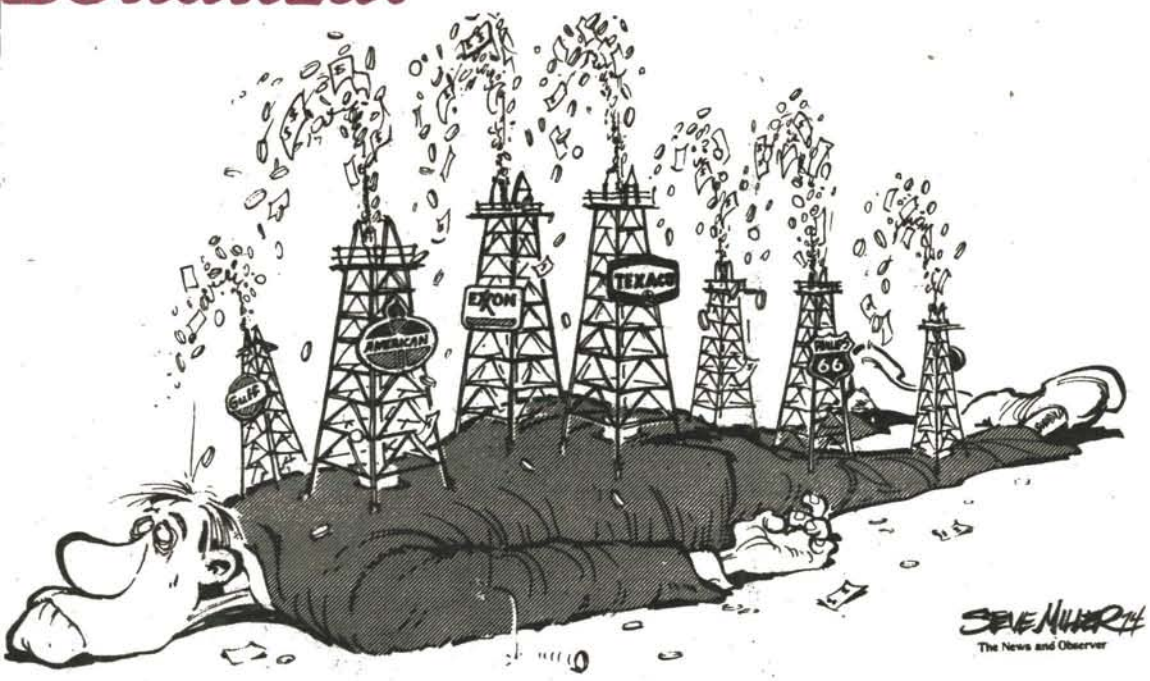
Bonanza!



THE PETRODOLLAR PUBLICITY BLITZ Desmond Smith

THE NOTORIOUS PARDON ***BILL NIGUT***

Some Gaps in Ford's Candor

Cuba: Tourism, Trade & Detente

JOE NICHOLSON Jr. and RONALD RADOSH

Jeanne & James Houston / 'E... ...to Manzanar'

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LETTERS

what Debs would say

Cleveland Heights, Ohio

If Albert Fried's imaginary conversation between the shades of Samuel Gompers and Eugene V. Debs ["Gompers & Debs: A Dialogue," *The Nation*, Sept. 7] was meant to put the discussion of "Labor in '74" in some kind of historical perspective—a useful and worthwhile objective—the article was a total failure. Debs's views and approach to the problems of the labor movement at the beginning of this century are relevant today, and there is nothing wrong with using the literary device in the article, as long as we don't put words in his mouth that are totally inconsistent with his philosophy and his actions.

For the largest part of his long and active life, Debs was the greatest organizer, agitator and educator for industrial and social democracy in this country. He was a prolific speaker and writer. His central theme was that we live in a class-divided society and that only when labor unites economically, in industrial unions, and politically, in its own working-class party independent of the Democrats and Republicans, will we be able to move forward to reconstruct our sick society on a rational basis.

To conclude, as Fried does, that the lesson of Debs's life for labor today is the need for "a new radical coalition" in which labor is a mere partner, or collaborator, is a gross distortion and misrepresentation of everything he stood for. It whitewashes the class collaborationist policies of labor leaders like Gompers which he would condemn today as roundly as he did in his lifetime. . . .

Jean Y. Tussey

New York City

I deny that the words I put in Debs's mouth are inconsistent with his life's work. The Socialist Party which he headed and for which he ran as President five times took a position similar to the one he defended in my piece. In its halcyon days (1900-17) the Socialist Party was a "radical coalition" if ever there was one in American history. A third of the AFL unions at the time belonged to it. For unions today to join the modern equivalent of such a coalition (consisting—to quote the imaginary Debs—"of the educated middle class, blacks and other minorities, the poor . . . the insulted and injured," etc.) they would of course have to first purge themselves of the kind of leadership typified by George Meany. That is what I tried to make Debs say. "Class collaboration" (Tussey's epithet) has nothing to do with it.

Albert Fried

playing the joker

Chicago, Ill.

David Looman [letter, *The Nation*, Oct. 5] in criticism of George Bogdanich's article ["Steel: No-Strike and Other Deals," *The Nation*, Sept. 7] says that because of the "chronic overcapacity of the U.S. steel industry" strikes make little sense, and so, the Steelworkers union gave up little when it recently surrendered the right to strike until 1980.

Mr. Looman chooses an odd time for this argument. For the past eighteen months the U.S. steel industry has been operating at full capacity. There has been a backlog of unfilled orders. Marginal facilities have been pressed into service. Indeed, during this recent period foreign steel has been imported *not* because of its cheapness but because the American industry has *physically* not been able to meet domestic demand.

Accordingly, the reality is the reverse of what Mr. Looman suggests. The present situation is precisely that in which strike action would have the most likelihood of benefiting union members. In the words of a leaflet issued by the leading insurgent caucus in the union, the Rank and File Team: Abel had the high card but chose to play the joker.

Staughton Lynd

EDITORIALS

BURP

Writing in *Barron's* (October 21), Alan Abelson takes note of President Ford's apparent conviction that one good slogan is worth a thousand ideas. Mr. Abelson is not sure that WIN is all that good: as a fallback, he offers BURP: Beat Unemployment and Recession Pronto. We endorse that battle cry over Whip Inflation Now and will buy a button.

Mr. Ford cannot concede that we are in a recession for fear of making things worse. American folklore requires that the President exude optimism, even if nobody believes him. But, although he may shy away from facts and ideas, other people persist in examining them. Thus, in the September *Illinois Business Review*, Prof. V. Lewis Bassie points out that in the business cycle problems are not separable; they interlock. We are at the summit of a cyclical boom, with no chance of a providential upswing. The problem is to avert the depression (Bassie uses the forbidden word) into which the fight against inflation is pushing us.

In the October 11th *Congressional Record* (E 6408) there is more to the same effect—the testimony before the Select Labor Committee of Prof. Helen Ginsburg. In another superimposition of an immediate economic swing upon a long-term swing, we are faced by the current crisis of high unemployment riding atop the *chronic* failure of the economy to provide an adequate supply of jobs. From 1946 to 1973, unemployment averaged somewhat more than 4.5 per cent. Since 1958 annual unemployment has dipped below that level only four times, from 1966 through 1969—those were Vietnamese War years. If 3 per cent unemployment is accepted as "normal"—people moving from one job to another, etc. —4.5 per cent obviously leaves little margin, the reason being that the relationships are inherently volatile. A seemingly trivial drop in GNP—as little as 1.4 per cent—betokens a recession or, stated in reverse, the GNP has to keep rising all the time if the economy is to remain healthy. In the year from November 1969 to November 1970, a 1.4 per cent drop in GNP resulted in peak unemployment of 5.8 per cent. The number of those officially out of work again stands at 5.8 per cent, which Dr. Ginsburg regards as a "disaster" level, and 7 per cent is forecast.

Actually these figures give a false impression: things are still worse. Millions of fully or partially unemployed workers are not counted in the Department of Labor tabulations—for instance, those who have given up looking for work where there isn't any to be found that they are equipped to do. Besides, these are national averages. Metropolitan areas have an aggregate rate of 10 per cent; in metropolitan poverty areas the rate is more than 12.4 per cent. For teen-agers in urban slums the rate is horrendous: 27.1 per cent.

One reason we don't vividly sense the crisis is that unemployment insurance, union unemployment funds, etc., cushion the effects for the time being, but all such mitigations are short-term. Another factor that inhibits understanding is the fashionable "trade-off" notion—that

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unemployment promotes price stability, so it isn't all bad, at least for those who can feel secure in their jobs. Socially, that is the wrong way to look at it. We are not just juggling statistics; we are talking about *people*. In a single month, a 0.4 per cent rise in the unemployment rate means that 400,000 more people have been thrown out of work.

Reps. Augustus Hawkins and Henry Reuss have introduced the Equal Opportunity and Full Employment Act of 1976—an attempt to give some meaning to what was originally projected in 1946 and then quietly forgotten. It has sixty sponsors, including Wright Patman, Peter Rodino and Carl Perkins. Hubert Humphrey has introduced a companion measure in the Senate.

This is essential legislation. To be blasé about the situation is the height of folly. The country is heading for real trouble, and it is not going to be averted by silly Presidential slogans.

Speech-of-the-Month

Arthur F. Burns, chairman of the Federal Reserve Board, made what must be rated the October speech-of-the-month to the American Bankers Association meeting in Honolulu (reported in *The New York Times*, October 22). The recent failure of two billion-dollar banks—Franklin National of New York and the U.S. National of San Diego—underscores the importance of what Dr. Burns had to say. None of it was new or startling but it badly needed saying by an authority, and should have been said several years back. Dr. Burns is concerned about stresses and strains in the banking system that have been evident for some time. In the decade from 1964 to 1974, as *Business Week* has pointed out, many banks were transformed from local institutions that did banking only into multinational financial conglomerates, often at the nudging and encouragement of regulatory agencies. The need for capital was expanding rapidly and the regulators thought it their responsibility to encourage banks to meet the capital needs of a booming economy. But the effect, what with the persistent inflation, has been to stretch the banking system's resources to a point that now concerns the regulators. The customary "capital cushion" has become thinner, particularly in some of the largest banking organizations. "Taken as a whole," reports *Business Week*, "the system is in more trouble today than at any time since the 1930s, with a distressing number of banks overloaned, overborrowed, overdiversified and undercapitalized."

Of special concern is the fact, emphasized by Dr. Burns, that banking regulation is "a jurisdictional tangle that boggles the mind." Each of the fifty states has at least one agency regulating banks and some also attempt to regulate bank holding companies. At the federal level, every bank in which deposits are insured is subject to supervision and regulation, but here too the authority is fragmented. The Controller of the Currency charters and supervises national member banks and also regulates all bank holding companies and controls the reserves and other operating features of member banks. The Federal Deposit Insurance Corporation insures nearly all banks but supervises only state-chartered banks that are

IN THIS ISSUE

November 9, 1974

EDITORIALS

450
454 General Haig of Wounded Knee — *Martin Garbus*

ARTICLES

455 The Notorious Pardon: Some Gaps in Ford's Candor — *Bill Nigut*
458 Cuba: Tourism, Trade & Détente — *Joe Nicholson Jr. & Ronald Radosh*
461 Bonanza! The Petrodollar Publicity Blitz — *Desmond Smith*
464 Rockefeller's Drug Law: Playing Politics with Addiction — *Carol Trilling*

BOOKS & THE ARTS

469 Houston, Jeanne Wakatsuki and James D.: Farewell to Manzanar — *Dorothy Bryant*
470 Jessup: The Birth of Nations — *Max Gordon*
472 Williams: Stage Left — *Michael Blankfort*
473 Midwest Taste & Eastern Critics — *Judah Stampfer*
476 Theatre — *Harold Clurman*
477 Dance — *Nancy Goldner*

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not members of the Federal Reserve. It also has certain regulatory powers that apply to insured nonmember banks. Not only does this jurisdictional tangle result in inefficient supervision, leading to what Dr. Burns gently calls "some carelessness" that has crept into banking operations, but it makes for competition of a sort in which, as he points out, one regulatory agency is often played against another. Nor is Dr. Burns the only worrier. James E. Smith, who has served as Controller for the last fifteen months, is now seeking to find out if bank examination techniques are all that they should be—they aren't—and also would like to secure a better definition of what constitutes a problem loan. His opposite number, Frank Wille of the FDIC, is worried about another problem—"the problem bank," and the fact that the larger banks, those in the $100 million category, increasingly show up as problems.

Against this background, Senator Proxmire was right on target when he told his colleagues on September 24: "It is clear our present system of bank regulation has failed us. It is equally clear that our bank regulators are largely bereft of ideas how to deal with the problem. If any reform is to be realized, it will have to come from the Congress." Now that he has acquired an important ally in Dr. Burns, he should insist that the issue be given top priority by the new Congress. What is needed is an inquiry into the adequacy of present bank examination techniques, a look at the relations between banks and bank holding companies, Congressional determination as to whether the evolution of bank securities activities is in the public interest (many thought the Glass-Steagall Act had finally and firmly separated commercial banking from securities and investment services forty years ago) and, above all, close scrutiny of the "jurisdictional tangle" to which Dr. Burns refers. The nation was wholly unprepared for the banking crisis of the 1930s. It is better prepared now and the system overall is no doubt sound, but that is cause not for complacency but for increased vigilance and a closer, more sophisticated, more realistic supervision of the banking system.

A Racket, Pure and Simple

The law prohibiting corporations and unions from contributing to campaign funds contains the gaping loophole that officials are free to donate, as individuals, either on their own initiative or upon being prodded by the organization. This evasion of the law is particularly outrageous when the corporations paying the officials' salaries and bonuses deal with the government through the Department of Defense, the Atomic Energy Commission, the National Aeronautics and Space Administration, etc. *Congressional Quarterly* has tabulated the 1972 campaign largesse of executives of the nation's top defense contractors; it came to slightly less than $3 million. Congressional investigation should disclose how much was donated spontaneously by executives, and how much was the result of "suggestions" from on high. Either way, the contributions could be earmarked as coming from the corporation, with expectation of favors in return.

The most striking feature of these campaign gifts, revealed in data compiled by the Citizens' Research Foundation of Princeton, N.J., is that Republicans were favored over Democrats in the ratio of 8 to 1. The Republican fund raisers got $2,555,740, the Democrats a pitiable $311,983. The discrepancy indicates not so much favoritism—after all Democratic politicians have been consistent advocates of heavy defense spending—as a realistic awareness of what the Nixon administration could do in the way of rewarding its friends and punishing its enemies.

The margins were overwhelming in the case of some of the biggest "defense" companies. General Dynamics officials gave $200 to Republicans for each $1 to Democrats. McDonnell Douglas donations were even more lopsided: 365 to 1. This was a tribute to the Nixon campaign finance committee, headed by Maurice H. Stans, Nixon's former Secretary of Commerce. "The Stans people didn't look gift horses in the mouth," said Herbert E. Alexander, director of the Citizens' Research Foundation. "They raised a lot of money, but they weren't careful about where it came from. It came close to extortion."

Officials of Lockheed Aircraft, listed as the largest DoD-NASA contractor, were exceedingly parsimonious in their contribution: only $4,000 to Republicans and $500 to Democrats in 1972. These meager donations were no doubt related to the fact that the corporation itself was insolvent at the time and holding out the tin cup for government help. By contrast, officials of Litton Industries, Inc., which ranked sixteenth on the DoD list and twenty-fourth on NASA's, gave $277,709 to Republicans and $500 to Democrats. Litton president Roy L. Ash, who shelled out $24,500 to Republicans, soon joined the Nixon administration as director of the Office of Management and Budget, a key post which he still holds in the Ford Administration.

Last May the Northrop Corporation, one of the biggest aircraft and aerospace suppliers, and two of its top officers pleaded guilty to making an illegal contribution of $150,000 to Nixon's campaign fund. This has been described as part of a secret slush fund, amounting to $1.2 million, which the company has accumulated and disbursed since 1961. The money was elaborately laundered through Northrop officials and consultants. Both Republicans and Democrats received contributions. Among other scandals of the 1972 and earlier campaigns, this misuse of corporate funds emphasizes the need for a thorough housecleaning in campaign financing, which now ranks among the major American rackets.

Not Just Pig Bristles!

If one reads the economic headlines, it is difficult to avoid the impression that the United States should be interested in expanding its foreign trade. But for the last quarter century, obsessed by ideology and military power, we have been more interested in brandishing threats than trading goods. This world outlook gratified some of our people, but it came at a high cost, the bill for which is now being presented.

Examples abound and it would be depressing to enumerate them. Just one will do. With the price of sugar soaring to fantastic levels, we are still dragging our feet in regularizing relations with Cuba. (See article p. 458.)

Two major exceptions accompanied the waning of the

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cold war. Grain sales to the USSR, as a means of getting them to do a variety of things we wanted them to do, have received an inordinate amount of attention, and we discovered mainland China, that other big trade partner. Big potentially, at least, but here too we shy away from formal recognition. It will be said—it has been parroted for twenty years—that trade with China is a figment of the radical imagination. For years, editorial writers have been sneering that the Chinese have nothing to offer us but pig bristles and a few other Oriental oddities.

It was not always thus. A little knowledge of American maritime history will turn up the "China clippers" of the decades around 1840: those splendid sailing ships did not return to New England heavy laden with pig bristles. And the Yankee enterprisers, including some of the founders or their sons, were not in the "China trade" to practice their navigation.

That era can be restored in a symbiotic relationship of great advantage to both nations, and others as well. So far the trade balance is top-heavy in our favor—about 11 to 1. But the situation is not static. In the first four months of 1974, U.S. trade with China moved ahead of trade with the Soviet Union. It should reach $1.25 billion for 1974, or practically equal to our trade with the Soviets. The prospects for further development impressed a twelve-man delegation from the U.S. National Academy of Sciences which visited China from August 27 to September 23. The chairman was Dr. Sterling Wortman, president of the Rockefeller Foundation, and the members included the Nobel laureate Norman Borlaug. This was mainly an agricultural group, and Dr. Wortman reported, "The crops looked good everywhere we went and I came away feeling that I was going to worry less about whether the Chinese will have enough to eat."

We far exceed the Chinese in technology, and they can learn much from us—paying for it, surprisingly, in oil. The country is already self-sufficient in oil, and neither its continental shelf nor the interior has been adequately prospected. The Takang area includes a series of oil fields stretching along the east coast, both inland and offshore. The sulfur content of the oil is extremely low, and the water there is shallow. With American and Japanese technical assistance and financing, it is possible that China's crude production can be increased to the point where Japan and the United States will no longer be at the mercy of the Middle East and Latin American producers. We are buying oil now with capital, not out of income, and as long as we do not require concessions or leases, but are willing to trade nation to nation, the Chinese may help to extricate us from an onerous dependence. Aramco may not like that, but what has Aramco done for us lately?

With a total lack of sound and fury, Congress, before recessing, repealed the harebrained "Formosa Resolution"—a blank check for any American President to go to war in defense of Chiang Kai-shek and his cabal on Taiwan. That should now be followed by Congressional initiatives designed to induce the Administration to find ways and means of extending full recognition to China. Taiwan is to this problem more or less what Guantánamo is to relations with Cuba—a symbol of a policy that is no longer viable.

The Death Penalty's Comeback

Many Americans are under the comfortable misapprehension that the Supreme Court abolished the death penalty once and for all in 1973. Actually, the Court, by a 5-to-4 vote, took only an equivocal step in that direction. It decided that, as administered in practice, capital punishment was constitutionally "cruel and unusual" in that it was arbitrarily and capriciously applied. This left a loophole for the proponents of capital punishment and they have not failed to take advantage of it. Nearly half the states have enacted laws which purport to comply with the terms of the Supreme Court's decision, and the death rows are filling up again. No less than 140 persons are currently condemned to die.

The lawyer who argued against the death penalty in the Supreme Court is Stanford University law professor Anthony Amsterdam. He points out that the "mandatory" death penalties which have been enacted by the states are in fact just as inequitable as the earlier applications. Prosecutors retain discretion in the charges they elect to bring, grand juries still have latitude in deciding whether to indict and for what crime, plea bargaining is even exacerbated, since more is at stake. Trial juries can impose mandatory death sentences but are free to convict for lesser offenses alleged in the indictments.

The inequity of the state laws intended to salvage the death penalty is shown by the composition of the current death-row population. Out of the 140, 60 per cent are black, most are poor and physically unprepossessing. They are predominantly the type whom judges and juries tend to regard as social outcasts and irredeemable burdens on society.

Despite the fact that the notion of the death penalty's deterrent value has long since been exploded, the Biblical maxim of "an eye for an eye, a tooth for a tooth, a life for a life" still retains much of its potency. Its simplicity commends it to the unthinking, and psychologically it fits in with the national obsession with crime and violence. We deplore crime and fear for our safety, but in fact crime news and drama are a staple of television entertainment.

The Supreme Court has now accepted a case from North Carolina, where the state Supreme Court has upheld a "mandatory" death sentence against Jesse T. Fowler, convicted of killing a fellow black during a crap-game brawl. One of the Supreme Court's tasks, in reviewing the case, will be to decide whether or not to make a clean break with capital punishment. The Court should consider most seriously, as Professor Amsterdam says, the incompatibility of capital punishment with "the decency of the entire administration of criminal justice." He adds, "No lesson could be more corrosive, more destructive of the worth of human beings, more likely to treat man as simply an instrument and creature of the state than the notion that, in order to discourage others, his life may be taken." If it did discourage others, something might be said for it, but that is not how the murderer's mind works. If the Court fails to take the enlightened view and permits a revival of capital punishment, it will be encouraging all the retrogressive tendencies in American life.

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General Haig of Wounded Knee

Martin Garbus

Alexander Haig, Fred Buzhardt, Richard Kleindienst, Richard Nixon and our military commanders approved, in violation of the law, the use of military equipment to quell a "civilian disorder" at Wounded Knee. Evidence offered at the Wounded Knee trials showed that these men, aware that they were breaking the law, disguised the men and equipment so that no one could know that the military was being used to quell a civilian disturbance, and, again in defiance of the law, poured an enormous amount of bullets and tear gas on the defenseless Indians. Alexander Haig ordered General Warner, Colonel Potter and twenty other Army men to Wounded Knee to take charge of the onslaught, and directed that these men wear civilian clothes. General Warner, Colonel Potter, FBI men and marshals at the scene testified that General Haig played a role in disguising the source of the military equipment. The details of the story are sickening and formed the basis on which Judge Fred J. Nichol in St. Paul and Judge Warren K. Urbom in Lincoln, Neb. dismissed cases against the Indians. The question is: what do we do now?

Congress has authoritatively declared that no part of the Army or the Air Force shall be used to execute the laws, except as expressly authorized by Congress or by the President, after the issuance of a proclamation. Section 1385 of Volume 18 of the United States Code states: "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a *posse comitatus* or otherwise to execute the laws shall be fined not more than $10,000 or *imprisoned not more than two years*, or both." The reasoning is simple. Before the Congress, the President or the Army can be permitted to exercise their awesome powers, the electoral representatives of the people must decide that it is justified.

Judge Urbom, a conservative federal judge, answered as follows the government's argument that not issuing a proclamation in this instance was a technical oversight:

> Congress provided that the President could use the military personnel in quelling civil disorders if he got a proclamation, but the President did not do so with respect to Wounded Knee. Congress could have passed and may yet pass legislation to permit the use of a limited or unlimited number of Army or Air Force persons to assist law enforcement officers to execute their duties in a civil disorder without presidential order. But it has not done so. The people could have amended or could yet amend the Constitution to permit use of the military services under whatever circumstances they declare. But they have not done so. I am bound to follow the law as it is, not as it will or could become.

The government at the Nebraska and Minnesota trials denied that any military equipment or personnel was involved. Dozens of witnesses stated that no military uniforms were to be seen at Wounded Knee. After the Army records were subpoenaed, over the government's objections, General Warner, Chief of Staff of the 82nd Airborne (then a Colonel, but promoted because of his success at Wounded Knee), and Colonel Potter, a commander of the Sixth Army, were called to the stand in both the St. Paul and Lincoln cases. On cross-examination, after being confronted with the Army records, they admitted that military equipment was dropped off at various points miles away from Wounded Knee, taken out of marked military vehicles, transferred to civilian vehicles, and then driven to the scene of battle by military men wearing civilian clothes. Warner and Potter admitted that they were in Wounded Knee for sixty-five of the seventy-one days *in civilian clothes* (they each admitted that never before in their years of service had they not worn uniforms during "work") because they were ordered by Alexander Haig and Gen. Creighton Abrams to wear mufti. Judges Urbom and Nichol found that the Army furnished sixteen armored personnel carriers (they were described by one of the witnesses as being like a medium-sized tank), 400,000 rounds of ammunition, 100 protective vests, a Phantom Jet, three helicopters, 120 sniper rifles, twenty grenade launchers and a host of other equipment. The 200 occupants of Wounded Knee had fewer than fifty rifles. The bullets from these guns (half of them could not be fired) could not reach the Army bunkers that surrounded Wounded Knee. Roger Ironcloud, a Vietnam veteran who was at Wounded Knee for all seventy-one days, said, "We took more bullets in seventy-one days than I took in two years in Vietnam. It was horrible. The Army fired at everything that moved."

General Warner and Colonel Potter, charged with having run the entire Wounded Knee operation, denied that they were there for any purpose other than to observe. Both Judge Nichol and Judge Urbom found that the Army officers lied. General Warner finally admitted having put 200 men of the 82nd Airborne on twenty-four-hour alert; he admitted ordering in chemical warware officers to teach civil law-enforcement officers how to use military grenade launchers; he admitted that the gas grenades were military equipment. General Warner admitted the use of the "Rules of Engagement" which are part of the military contingency plan for civil disorders and he admitted that he compelled the FBI men and the marshals to follow those rules.

Everything at Wounded Knee was approved by Alexander Haig, Creighton Abrams, Richard Nixon, Richard Kleindienst and the top military planners at the Pentagon. Not enough attention had been paid to the facts developed at the subsequent trials. The Ford Administration is not going to follow the law and seek indictments against those in government who violated the law at Wounded Knee. The issues transcend the issue of Indian rights. General Haig's involvement and his previous confusion about the role of the military in civilian matters renders him unfit for his new position as head of NATO.

It has become "standard" to call out the National Guard where the state and national government feel local authorities can't handle the disturbance. We saw it down

Martin Garbus is a New York trial lawyer, former associate director of the American Civil Liberties Union, and author of Ready for the Defense (*Avon*).

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South in the 1960s, later on at Kent State, and may soon see it in Northern cities faced with integration. In most instances, these operations are so infested with military men, control and equipment that the National Guard presence is unlawful. But this procedure has never been subject to a full constitutional examination.

The military men who were involved in Wounded Knee are still in a position to call out troops against the next rebellious group—be they Democrats, Christians, blacks, Baptists or students. Even though General Haig's nomination is not subject to a confirmation hearing, Congress should immediately explore the role of the military in Wounded Knee to make sure that tomorrow the military is not called out to put down other groups.

THE NOTORIOUS PARDON

SOME GAPS IN FORD'S CANDOR

BILL NIGUT

> We meet here today to review the facts and the circumstances that were the basis for my pardon of former President Nixon on September 8, 1974. I want very much to have those facts and those circumstances known.
>
> . . .
>
> I want to assure you, the members of this subcommittee, members of the Congress and the American people there was no deal, period, under no circumstances.
> —*President Gerald Ford, testifying before the House Subcommittee on Criminal Justice; October 17, 1974.*

Eventually, historians keen on learning the full story of President Ford's "surprise" pardon of Richard M. Nixon will read and study, in addition to Mr. Ford's testimony before the House Subcommittee on Criminal Justice, the press dispatches from Washington which appeared in daily newspapers during Nixon's last week in office and immediately thereafter. One of their conclusions, it now is certain, will be that we shouldn't have been surprised by Mr. Ford's action on Sunday, September 8.

Never had a free people been better served by its press than in the enlightening—and prophetic—daily reports on how and why their President was being persuaded to resign his office. Never did a free press better meet its obligation to satisfy the people's right to know about wheeling and dealing at the highest level of government.

A second conclusion, it now seems certain, will be that the resignation was predicated on a "deal" with then Vice President Ford which assured Nixon of a pardon after he left office.

And, though the stated objective of Mr. Ford's historic appearance before the House Subcommittee was "to review the facts and the circumstances" that were the basis for his pardon, it now is certain that historians will conclude that *there was a startling and self-incriminating gap* in Mr. Ford's review of those facts in both his prepared text and his extemporaneous remarks.

Mr. Ford testified about any discussions he had about a pardon for Nixon in three time frames: while he was still the Minority Leader in the House; after he became Vice President and up to August 3, 1974, and from August 8, when Nixon resigned, until September 8. Inexplicably, however, there was no testimony by Mr. Ford as to any discussions he may have had about a pardon for Nixon in the critically important period from August 5 through 8, a time when all the Republican Congressional leaders were publicly speculating about such a pardon.

The making of President Nixon's decision to resign began on Friday, August 2, when his lawyer, James D. St. Clair, told him that he (St. Clair) would resign unless three of the President's taped conversations with H.R. Haldeman on June 23, 1972, which revealed Nixon's involvement in the Watergate cover-up were given to the House Judiciary Committee, and unless Nixon acknowledged publicly that he, not St. Clair, had withheld them.

Senate Republican Whip Robert Griffin (R., Mich.), who was to become the uncelebrated behind-the-scenes catalyst in Nixon's resignation and pardon, learned about the June 23rd tapes that same day, August 2. Mr. Ford had learned of them the preceding day. Their individual reactions to the tapes' explosive contents—at that time, still unknown to the public—is most instructive.

Senator Griffin, deeply troubled by this confirmation of Nixon's implication in the cover-up, wrote him a letter outlining what he saw as the President's options, one of them being resignation. The letter was delivered to the White House at 1:30 P.M. Saturday, August 3.

About the same time, Mr. Ford was telling a $250-a-plate Republican luncheon in Hattiesburg, Miss., *"I still think the President is innocent of any impeachable offense."* He also explained: "If I had my druthers, I'd rather have the House vote the facts as I see them and vote for acquittal. But if you have no alternative to impeachment but censure, then I would favor censure." Mr. Ford's concern, obviously, was for Nixon and not for the nation.

The next day, Sunday, the Louis Harris Survey reported that 66 per cent of the American people believed the House should vote to impeach Nixon and that 56 per cent believed the Senate should vote to convict him.

On Monday, August 5, Senator Griffin became the first GOP leader in the Congress to call publicly for the President's resignation and Rep. Charles E. Wiggins (R., Calif.), the President's staunchest defender on the Judiciary Committee, told the press, "Nixon should resign."

Later that day, the White House handed out the statement demanded by St. Clair. It revealed the President had

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withheld damaging tapes from investigators and even from his own attorney and conceded that an impeachment vote in the House was "virtually a foregone conclusion."

That same afternoon the public learned for the first time of a quiet effort to win immunity for Nixon if he resigned. Sen. Adlai Stevenson told a Chicago press conference that a deal (reportedly being discussed by White House officials) to let Nixon resign without loss of pension rights and with immunity from criminal prosecution is not provided for in the Constitution and that he wouldn't accept a deal between Congress and Nixon.

Nevertheless, the next day (Tuesday, August 6), Senator Griffin said the allegations against Nixon "may not be so serious that people want to see a former President in jail," and added that he was "leaning in the direction of legislation that would grant Mr. Nixon immunity from a criminal prosecution once he leaves office." But, in a later press conference, Republican House Leader John Rhodes (R., Ariz.) signaled the need for a different approach—and it was the one ultimately taken: "I have never felt that Congress has the constitutional authority to grant immunity for anyone. *That is completely in the executive branch.*"

Still that same day, Rep. John B. Anderson (R., Ill.) said the House Republican leadership had reached an agreement that Nixon should step down and, following a meeting of the Senate GOP Policy Committee (attended, incidentally, by Mr. Ford), Sen. John Tower (R., Tex.) told reporters that most of the GOP Senators wished Nixon would resign.

On Wednesday morning (August 7), Jack Nelson reported in the *Los Angeles Times* that "some Washington sources have reported that *fear of prosecution* was a factor in Nixon's refusal to buckle under the intense pressure to force his resignation."

And David Murray of the *Chicago Sun-Times* wrote: ". . . this is a city where the rumors have been flying about a 'brokered' resignation—one under which Nixon would keep his $60,000-a-year pension and other perquisites of ex-Presidents and would not face disbarment or criminal proceedings."

That same day, Peter Lisagor of the *Chicago Daily News* told his readers that efforts to dissuade Nixon from letting the impeachment process run its course and to resign had thus far been unsuccessful "because they have failed to answer a critical personal question: "How does the President avoid possible criminal prosecution if he resigns without being assured of immunity?" Lisagor noted that the President's admission that he was involved in an obstruction of justice "made the question acutely pertinent.

"The fact that the question is being freely discussed dramatizes the expectations here that Nixon's days in the White House are numbered, with the method of his departure the only thing left in doubt. Legal experts," Lisagor wrote, "have scouted the possibility that Ford, upon succession to power after Nixon's removal would be able to grant clemency to his predecessor."

However, other Washington dispatches made it increasingly clear in the next twenty-four hours that Vice President Ford was the best potential source of an answer to Nixon's critical "personal question." One such report, filed by Michael Coakley, political editor of the now discontinued *Chicago Today*, foresaw that "unless some deal is worked out in advance," Nixon's departure could be followed by his indictment on criminal charges. And it flatly stated that "the best solution for Nixon would be to reach an agreement with Ford that once he resigns, Ford —as President—would pardon him for his Watergate offenses."

In the context of this sort of speculation, Mr. Ford had two noteworthy meetings on Wednesday, August 7. First, at Nixon's request, he had an early morning, one-hour meeting with Nixon's chief of staff, Alexander M. Haig, Jr., purportedly for "an exchange of views on the current situation." Afterward, deputy White House press secretary Gerald Warren remarked, according to a *Chicago Daily News* wire service dispatch, that Haig regularly met with Ford. "But under persistent questioning by reporters who disputed this, Warren said, 'It would be fatuous of me' to say it was an ordinary meeting." Aides to Mr. Ford refused to provide any details about the hastily called meeting, "but it was understood that Nixon sent Haig—to get his [Ford's] assessment on what, if any, chance he had of escaping impeachment and conviction."

Ford's second meeting that day was with the ubiquitous Senator Griffin. It followed a strategy session of GOP Congressional leaders in which, according to James Wieghart of the New York *Daily News*, "they examined the possibility that Ford, with the absolute pardon power of the Presidency, could be used to assure that Nixon would not be hounded by the law once he left the protection of the White House. The subject was gingerly broached to Ford by his long-time friend [Griffin]. The subject was vaguely discussed. . . . Ford apparently felt that he needed a clear Congressional mandate directing that immunity be granted."

Later that afternoon, Sens. Barry Goldwater and Hugh Scott and Representative Rhodes met with Nixon for thirty-five mintues, allegedly "to give him 'our impressions' of the mood in Congress."

The next day (Thursday, August 8), Morton Kondracke reported in the *Sun-Times* that "as President, Ford would invite and abide by a Congressional resolution that Nixon not be prosecuted for Watergate-connected crimes if he resigns from office. Sources close to Ford said that he would be unlikely to publicly initiate action to give Nixon immunity from prosecution but would encourage it privately."

Accordingly, that morning, Sen. Edward Brooke (R., Mass.) and Rep. John Buchanan (R., Ala.) introduced a joint resolution expressing the sense of Congress that the President should be immune from prosecution if he resigns and makes a public confession of guilt. Gregg Ramshaw reported in *Chicago Today* that Representative Anderson did not expect Nixon to resign for several days *because of negotiations under way to allow the President "a graceful exit."*

But, at 11:01 A.M. that fateful day, Nixon and Ford sat down together—alone—in the Oval Office and talked privately for one hour and ten minutes. Shortly after their meeting, it was announced that Nixon would address the

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nation that evening. His "critical personal question" had, apparently, been answered to his satisfaction.

One month later to the day of Nixon's resignation, President Ford announced his grant of "a full, free and absolute pardon unto Richard Nixon for all offenses against the United States which he, Richard Nixon, has committed or may have committed or taken part in during the period from January 20, 1969, through August 9, 1974."

Historians will be sure to note that President Ford

Conrad, Los Angeles Times

"It Is Common Knowledge that Serious Allegations and Accusations Hang Like a Sword Over the Former President's Head. . . ."

—by design or oversight—did not review the "facts and the circumstances" of his discussions and decisions on August 5, 6, 7 and 8—the period during which Nixon made his decision to resign the Presidency. Mr. Ford escaped testifying about such discussions by subtly changing the thrust of paragraph 2 of House Resolution 1367 which, in its original form, read: "Did Alexander Haig refer to or discuss a pardon *for* Mr. Nixon at any time during the week of August 4, 1974, or at any subsequent time?" In context, it is unmistakable that the question means "refer to or discuss with *you*." In Mr. Ford's text, this inquiry reads: "The second question in the resolution asks whether Alexander Haig referred to or discussed a pardon *with* Richard Nixon or his representatives at any time during the week of August 4, 1974, or any subsequent time?"

Thus, Mr. Ford, by answering a question that was not asked, was able to give this innocuous reply: "My answer to that question is 'Not to my knowledge.' If any such discussions did occur they could not have been a factor in my decision to grant the decision when I did because I was not aware of them."

Historians will note that Mr. Ford was careful not to deny the possibility that Haig did talk about a pardon with Nixon during his last days in office. He simply denied knowledge of such conversations. But, more significantly, by ignoring the question that was asked, Mr. Ford avoided testifying about his meeting with Haig on early Wednesday morning, August 7—less than thirty-six hours before Nixon told the nation of his resignation. Historians will want to know why Mr. Ford thought it necessary to "stonewall" this question.

They will also observe that Mr. Ford was not candid in responding to this question from Rep. Robert W. Kastenmeier (D.,Wis.): "Which other persons, to you personally, made recommendations that the former President be pardoned from that time in early August [the 1st and 2nd] to the day of September 6, when you made your decision?"

Mr. Ford replied: "No other person to my knowledge made any recommendation to me from that time until the time I made a decision about September 6. Nobody made any recommendation to me for the pardon of the former President." In so answering, Mr. Ford conveniently forgot his meeting with Senator Griffin on August 7, which was held expressly to examine "the possibility that Ford, with the absolute pardon power of the Presidency, could be used to assure that Nixon would not be hounded by the law once he left the protection of the White House."

Mr. Ford's failure to testify about his meetings on the 7th with Haig and Griffin and with Nixon on the 8th will be interpreted by historians, it now seems likely, as persuasive evidence that Mr. Ford's pardon, indeed, was predicated on a deal with Nixon. Why else would he have avoided testifying about them?

In the closing moments of the hearing, the President did ask Chairman Hungate for permission to "add to something I said just to make it correct" and then explained:

> Somebody asked about when I last saw the President. I said that I had seen him on the 9th. I did, as he departed. But I had also seen the President the morning of the 8th at the time I was asked to come and see him . . . when he told me that he was going to resign. So I saw him both the 8th and 9th, just to make the record accurate.

The record, however, remains incomplete, for the substance of the Ford-Nixon conversation on the 8th was not disclosed nor examined.

If Mr. Ford's purpose in granting the pardon was "for the benefit of the country, not for any benefits there might be for Mr. Nixon," historians likely will want to know (*1*) why the pardon was for all offenses Nixon "committed or may have committed . . . during the period from January 20, 1969 through August 9, 1974," when the Watergate burglary was in June 1972, and (*2*) why Mr. Ford asked the Congress for $850,000 for Mr. Nixon. □

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Cuba: Tourism, Trade & Detente

JOE NICHOLSON Jr. & RONALD RADOSH

The roulette wheels no longer spin in Cuba, but bring a bundle of cash anyway, for the limping American dollar is almost impotent in Havana where a meal costs $20 and the night-club bill for a bottle of rum is $40. If you are looking for prostitutes, forget Cuba; the profession is no more likely to revive there than is the United Fruit Co. And don't solicit because the vice you're apt to find is the vise the police will put you in if they catch you. Johns gets arrested as quickly as prostitutes in revolutionary Cuba.

American tourists may need such advice surprisingly soon. President Ford is pledged to act in concert with his Latin neighbors and the Cuba embargo will probably be lifted at the November 8th meeting of the Organization of American States. Cuban trade officials are already said to be negotiating in Argentina for $1 million worth of pile carpeting to refurbish hotels for a large-scale tourist invasion. Cuba, currently entertaining American visitors as diverse as Sen. Jacob Javits and ballerina Cynthia Gregory, seems as eager to receive America's tourists as American trade. Small wonder—Americans are paying $1.10 per Cuban peso.

Despite the lopsided exchange rate, one tiny American airline, Air Sunshine of Key West, has representatives in Havana negotiating a franchise. And American big business is only a hop behind. A business front organization, quietly set up by David Rockefeller and designed to nudge Mr. Ford toward opening the Cuban market, has voted unanimously to recommend a unilateral and immediate lifting of the embargo.

As far as the Cubans are concerned—and nothing concerns them more than avoiding, indeed repudiating, their old role as one of Uncle Sam's Banana Republic yes men—all this is fine. Some whom we met during separate visits to Cuba last year and the year before longingly awaited family reunions; others, generally young militants, scornfully dismissed talk of détente. But most Cuban officials (and probably most of their countrymen) seemed receptive to rapprochement, provided it comes on Cuba's terms.

Manuel Lee, a Chinese Cuban who is a top Washington expert with ICAP, the Institute for Cooperation Among the Peoples, told Radosh last year that Cuba has only tactically shifted its revolutionary policies to renew relations with nationalist Latin governments such as Argentina and Peru, regimes that would create the possibility for revolution at some future time. Lee, a 22-year-old Ph.D. who exemplifies Cuba's startlingly youthful second-level leaders, was not as much interested in renewed U.S. relations as was a middle-aged official who spoke to Nicholson. The older Communist had Marxist credentials predating the revolution and apparently they gave him the assurance to talk frankly if anonymously.

"Fidel would like to see the relations reopened," he said one hot afternoon over frozen daiquiris in the cocktail lounge of Havana's Hotel Nacional, "provided the United States agrees to Cuba's terms." Those conditions, he said, meant ending the trade embargo, but not necessarily closing the sprawling U.S. Guantánamo Naval Base on Cuba's eastern tip.

"When relations are reopened," he predicted, "I think it will have to be done with two understandings. First, that we keep the weapons we need to protect ourselves, but not offensive strategic Russian weapons. Second, there will probably be some kind of oral agreement that Cuba not provide material support for revolutionaries in Latin America. And the United States would agree to stop sending military aid to the dictatorships in Latin America. Whether such oral agreements would be enforced, I don't know."

Asked if renewed ties wouldn't diminish Castro's cherished image as the Third World's chief anti-imperialist, he smiled. "No," he said, "it would enhance his stature because then he would be viewed as a mature world statesman who held out all these years and got the United States to come around to his terms."

What, then, is the truth? Does Cuba still adhere to the plans announced in 1967-68 for "one, two, three, many Vietnams" in Latin America? An answer has been given by Pat M. Holt, Chief of Staff of the Senate Foreign Relations Committee. Returning from Cuba last July 8, Holt confirmed the new direction in Cuba's foreign policy: "Cuban policy toward Latin America has changed long since. Cuban support of revolutionary or insurgency movements elsewhere in Latin America has been at a minimal—one might even say trivial—level for years in other than an ideological sense. Cuban policy now recognizes that there is more than one road . . . to economic development. The Cubans have been particularly impressed by the military government in Peru." [See "Peruvian Adventure: Generals as Revolutionaries" by Penny Lernoux, *The Nation*, October 19.]

Castro seems indeed to be dancing toward détente to his own music, a kind of rhumba box step, one step backward and one to the side for every step forward. Even Javits, whose gift for legerdemain has made him the politician's politician, found himself the follow dancer in Havana, stepping gingerly if smilingly backward as Fidel loosed his first, blistering attack on Ford. "The new President of the United States, to the stupefaction of Latin American public opinion," Castro told a rally the day after Javits arrived, "proclaims openly the right to intervene by any means, regardless of how illicit, dirty or criminal, in the internal processes of the nations of the hemisphere." Castro didn't mention the irony that Cuba's long isolation has been based on allegations that it engaged in just this sort of intervention.

Joe Nicholson Jr., whose Inside Cuba *was published by Sheed & Ward in October, is a reporter on the* New York Post. *Ronald Radosh is an associate professor of history at Queensborough Community College and in the graduate faculty of the City University of New York. His* Prophets on the Right: Profiles of Conservative Critics of American Globalism *will be published by Simon & Schuster in March. Both men have traveled to Cuba within the past two years.*

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Javits showed up for a lengthy dinner with Castro the next night, his ever present smile undimmed and an aide explaining the schedule would go ahead because "they said some insulting things to us and we said some insulting things to them." At an after-dinner news conference in the Hotel Habana Libre, formerly the Havana Hilton, Javits and his traveling companion Sen. Claiborne Pell told their entourage of thirty U.S. newsmen that Castro was "interested—that is our impression—in working toward better relations with the United States, a normalization of relations."

At home, reaction was unsmiling. A *New York Times* editorial labeled the episode "a kind of spectacular, with Marxist-Leninist variations," and warned it "may inadvertently encourage [Cuba] in the belief that it has more bargaining leverage than it actually possesses." William F. Buckley, Jr., finding himself in momentary agreement with the *Times*, ridiculed "the two princelings from the U.S. Senate, with their little valentines in their briefcases." Score one for Fidel.

With its eye on Cuba's 8.5 million consumers, Rockefeller's business front, named the Commission on U.S.-Latin American Relations, has been no more nonplussed than Javits by Castro's insults. The group's chairman is Sol M. Linowitz, senior partner of Coudert Brothers, and former U.S. Ambassador to the OAS; it is composed of liberal academicians and business high brass from the First National City Bank, the Bendix Corp., the Rockefeller Foundation, the Ford Foundation, Lehman Brothers, Sears Roebuck, IBM, H.J. Heinz and the Agribusiness Council, Inc.

The Ford delegate, Kalman Silvert, conferred in Cuba recently with Vice Premier Carlos Rafael Rodriguez (whom Silvert, obviously not having yet encountered Fidel, called the most "intelligent and straightforward" political leader he'd ever met). Rodriguez told him that Cuba, while distrusting Henry Kissinger, could collaborate with him to construct a rapprochement (despite Kissinger's successful orchestration of the murder and overthrow of Fidel's long-time ideological compatriot and personal friend, Salvador Allende). Pragmatism? Nothing new: Castro didn't win a guerrilla war and embarrass the CIA's best subversive schemes with ideology alone.

The front's IBM delegate, former Atty. Gen. Nicholas Katzenbach, headed the last U.S. mission attempting to negotiate with Castro before the 1960 break, and later wrote the brief arguing the legality of JFK's Cuba blockade during the 1962 missile crisis.

"It was in June 1960," Katzenbach recalled during a recent interview at IBM's modernesque stone-and-glass headquarters in Armonk, N.Y. "We negotiated with Cuba's Supreme Court Justices. They defended all Castro's actions and then, when we went to lunch, they'd tell us not to believe anything they'd just told us."

" 'Here is Fidel!' they told us," Katzenbach said, slapping down a paperweight on his huge desk.

" 'Here is Raul!' " Katzenbach said, dropping a letter opener beside the paperweight.

" 'Here is Che!' " Katzenbach said, slapping down another paperweight to form a triangle. " 'And a bomb drops right in the middle. Who is saved? Cuba!' " Katzenbach leaned back against the white upholstery, smiling. "There isn't any Supreme Court now, is there? I wonder why."

Katzenbach feels rapprochement is on the way, but he apparently prefers talk of his days as Presidential message carrier. He dresses in the accouterments of those years—narrow tie, white shirt, pin-striped suit—and surrounds himself with memorabilia: bronze busts of JFK and LBJ, and a montage of Dean Rusk, Robert McNamara and others, flushed with power and purpose.

"Some U.S. people would oppose renewed ties," Katzenbach said, "for example sugar interests in a number of Southern states and Hawaii." But the problem with Cuba "is the effect it will have on our relations with the rest of Latin America, especially Central America." Previously, he argued, Cuba was engaged in "the continuing shipment of arms and revolutionary cadres" to Latin

America, actions that only succeeded in "building up Castro with a lot of young people." But now, formerly hostile Latin American governments desire friendly relations with Cuba. For Katzenbach, the isolation of the United States in Latin America is the main issue.

Steadfast in his new frontiersman's credo of civil rights at home and cold war abroad, Katzenbach seems to have a motto for American businessmen: Ask not what Cuba can do for you. He may ignore the Cuban purchase in Italy of an Olivetti computerized data system, but will his employer, IBM? Certainly the other business leaders aren't letting such passé idealism distract them from a potential Cuban market. They began visualizing dollar signs last summer when Holt returned from his visit and told businessmen that they were losing a valuable market. Like Katzenbach, Holt originally believed that even when

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the ban was lifted, very little new Cuban-U.S. trade would take place. "I was not in Cuba very long," Holt wrote, "before I changed my mind. The Western Europeans and the other Latin Americans are sufficiently in evidence in Cuba to make it worthwhile for American firms to compete directly for some of this business. . . ." Trade with Latin America, Europe and Japan is increasing, Holt informed them. "U.S. policy of isolating Cuba has been a failure . . . a new policy should be devised." Holt's trip paved the way for the Javits visit, and spotlighted the exports sold in Cuba by America's neighbors—$10 million worth of goods from Mexico and $60 million from Canada.

Some U.S. corporations have even secretly defied the State Department embargo. Ron Radosh came across a large supply of bricks, still in their "made-in-U.S." cartons, at a construction site inside the Havana General Psychiatric Hospital complex last summer. And Argentina, threatening open defiance of the U.S. blockade, received grudging State Department approval for Argentine subsidiaries of General Motors to sell cars and trucks to Cuba as part of a $1.2 billion trade pact.

Industrialists Cyrus Eaton and Edward Lamb returned from separate commercial discussions in Havana this year eager to do business. Lamb, after discussing mechanization of the sugar industry with Castro, called Cuba's credit "excellent" and its need for American trade "great." Eaton concluded: "As it is, many corporations trade with Cuba today through their Latin American and European subsidiaries. It's time we were realistic."

Nonetheless, the United States is continuing to blacklist and bar from its ports all freighters which stop at Cuba. Consequently, the Cubans must do much of their trading in ships chartered at an astronomical cost. This has not stopped their economic development, now stronger than ever, but it constitutes a painfully expensive handicap.

How successful is the Cuban economy? Holt concluded: "The Cubans are on the verge of making their system work—that is to say, of constructing a Socialist showcase in the Western Hemisphere." He called the island's shortages "more an inconvenience than a hardship" and said it has, according to its own statistics, the highest per capita gross national product in Latin America (with Venezuela a possible exception). Undoubtedly, some of the credit goes to the Russians who supply 3,000 technicians and $600 million a year in aid. Also, the world price of sugar, Cuba's principal export, has skyrocketed from 7¢ to 40¢ a pound in the last three years. But mostly, it has been the incredibly hard work of Cuban men and women that has pushed their nation to the forefront of Latin America in productivity, housing, education and public health.

The Russians, apparently viewing self-sufficiency as the criterion of success, have vigorously encouraged the coming of détente to the Caribbean. U.S. tourism, which boomed in the Soviet Union last year with a record of 90,000 visitors, and especially U.S. trade, would greatly reduce the Soviet financial burden if they were extended to Cuba. Brezhnev tried to ease the way during a speech in Havana last January, declaring that Cuba was "not a strategic base out of which influence is expected," and that Communists don't support "the export of revolution." Replying with his first faint praise for détente, Castro said: "The idea of peaceful coexistence between states with different social systems is gradually making headway in international relations."

The Russians aren't the only ones who would like to loosen their Cuban embrace. The feeling is entirely mutual. Cuba was the last Spanish colony and quickly became an American dependency. "It's like before the revolution," one Cuban told Nicholson, saying Americans should appreciate the resemblance. "The Russian [advisers] are big and fat and they walk around telling everybody what to do. They're just like the Americans!" Probably no Cuban would appreciate more than Castro a lessening of his nation's dependence on the Soviet Union.

Aside from strengthening independence, rapprochement's ramifications could help liberalize Cuba's domestic society. An end to the embargo would greatly relax Cuba's state-of-siege mentality. This could lead to more autonomy for the government-controlled press; less repression of "anti-social" minorities such as homosexuals, and expanded democratic processes. The revolution held its first elections this year in Matanzas, a province of half a million population east of Havana, and the experiment may be extended to the other five provinces. Furthermore, rapprochement would better enable the revolution to display its undeniable achievements and, perhaps, refute some of its critics.

At the November 8th OAS meeting in Quito, it is expected that the drive to end the embargo will be led by Mexico, the only member never to break its Cuban ties. At least fifteen of the twenty-three active OAS members have indicated they will vote to end the sanctions, which were originally imposed in 1962 because Cuba's Marxist government was deemed "incompatible with the inter-American system." The vote action was largely based on Cuba's aid to guerrilla movements in Latin America, particularly Venezuela.

While Cuba was winding down its guerrilla support, a surge of Latin American nationalism sharpened resentment of Washington's domination of the OAS. Increasingly, Latin leaders began supporting Cuba to demonstrate their independence from U.S. control. Venezuela, which initiated the sanctions against Cuba, has called for their end and for the establishment of "political pluralism" in the hemisphere. Regardless of the OAS decision, Venezuela is believed ready to sell oil to Cuba and to join the seven OAS members which have independently resumed Cuban diplomatic ties. And even the military dictatorship in Brazil, Kalman Silvert asserts, has made known that it will agree "not to say no" when the vote to end the embargo is brought before the OAS!

Only the military dictatorships of Chile, Uruguay and Paraguay remain staunchly anti-Castro. To date, the United States continues formally to support the sanctions and has not announced how it will vote. "It's as though Cuba," Castro recently suggested, "is the only country in the world toward which the American Secretary of State is still John Foster Dulles."

This may change in Quito, but a substantial bloc of

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Congressional conservatives is still adamant against change. Sen. Strom Thurmond of South Carolina calls Cuba a "true colony" of the Soviet Union and says "American recognition of the Cuban regime could be interpreted as a U.S. stamp of approval of a Soviet base overlooking our southern coast and commanding the sea lanes to the Panama Canal."

While Castro would surely welcome an end to OAS sanctions, he has vehemently insisted he'd never return to the OAS, an organization he has described as "that filth, that trash, that rotting corpse" which "makes us vomit." Instead, he is demanding an all-Latin organization which excludes the United States.

For its part, the United States is likely to support, or at least acquiesce in, an end to OAS sanctions. A solitary American attempt to continue the embargo would be more futile than ever and would inevitably add to Castro's bargaining strength the longer it went on. But a U.S. vote to end sanctions won't mean automatic diplomatic relations. There remains the issue of $1.5 billion in American properties expropriated by Cuba.

In his report, Pat Holt perceptively found the Cubans to be "extraordinarily proud and sensitive," and he predicted they would "make no move to improve their relations with the United States until the economic boycott . . . is lifted." But with the embargo lifted, they can be expected to move to negotiate on other matters.

Soon it will be Ford's move. The danger of damaging Republican candidates—if further White House damage is possible—will be over with the November 5th elections. Rockefeller's group has already called upon the President to restore Cuban relations. And the OAS is almost certain to have ended its sanctions.

The stage is set, but the play looks miscast. Jerry Ford may find the lines difficult, and Fidel, never good with scripts, could start to improvise. Ford, who passed a quarter-century in Congress without introducing a single piece of major legislation, may ask Henry Kissinger to play this role. But even Kissinger, deviser of the economic shackles which crippled Socialist Santiago, and designer of the Christmas bombing of Communist Hanoi, might feel awkward welcoming Fidel Castro back to the hemispheric family. Henry embracing Fidel at José Martí International Airport seems almost as improbable as Castro and Ford strolling in the Rose Garden.

But, perhaps, American tourists need just such an improbable rapprochement to prepare them for a vacation in Communist Cuba. □

BONANZA!

The Petrodollar Publicity Blitz

DESMOND SMITH

As John Jones drove to work he turned on the local newscast. After the headlines came an interesting report on oil drilling in Alaska; a foreman was explaining in plain language just how tough it is to work in 40° below zero temperatures on the Arctic Slope. The oil worker went on to say that his job satisfaction came from the knowledge that it was vital work because, as "everyone knows," the United States is running out of oil. What John Jones did not realize was that this was a sponsored news item, paid for by an oil company.

Jones stopped for gas at his local service station, grumbling aloud at the 54.9¢ a gallon posted price, thankful of course that there were no more gas lines, but remembering the 35¢ gasoline he bought only two years ago. A prominent sign on the pumps declared that 14.2¢ went to state and federal taxes. Unremarked was the 28.6¢ that went to the oil company, up from 18.1¢ in the recent past. At noon, John Jones went to his weekly Kiwanis meeting. The speaker was an attractive young woman from the Mobil Oil Corp. One of several thousand oil company employees who have been specially trained in community work, she spoke about the "energy shortage" and what Mobil was trying to do about it. Driving back to work, Jones stopped at a traffic light. Directly ahead, a billboard urged him to conserve gasoline because of the "energy crisis." It too was paid for by a major oil company. On his desk at the office was an announcement from the firm's oil supplier; there would be further price increases in November. Also enclosed was news that henceforth "free maintenance" of the oil system would be dropped; in future there would be a service charge. An attached slip of paper described ten ways Mr. Jones could "save fuel costs." This bit of consumer advice was provided "in the public interest" by Gulf Oil.

A little after 6 P.M. John Jones was at home, watching the local TV news. Among the day's stories was an energy-crisis report that showed operations at the world's largest offshore drilling station off the United States' Southeast coast. The "news" item was paid for and distributed by the Exxon Corp. There was no identification that this was sponsored material—it was one item in a "package" distributed free by an independent producer, in much the way that "boiler plate" is supplied by news agencies to small newspapers—and the way John figured it the oil companies were doing their best to overcome the present oil "shortage." Before he went to bed that night he picked up *The New York Times* to read the Op-Ed page. A story critical of Big Oil noted, among other things, Congressional impatience over alleged production cutbacks by the companies. Jones really did not have a clear idea of what the writer was saying. But a quarter-page ad on the same page, paid for by Mobil and captioned "Oil Wells Die, Too," made John think again about the energy crisis. Before Jones retired for the night he went downstairs and lowered the thermostat 2°.

Desmond Smith, a frequent Nation *contributor, is the author of* Smith's Moscow *(Alfred Knopf).*

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Although his heating bill was going to be almost double that of last year, thanks to that timely tip from Gulf, the Jones family could save a little money and at the same time do their bit to help the United States overcome the "oil shortage."

John Jones is a fiction, but there is nothing fictitious about the multimillion-dollar media blitz that the oil companies are currently directing at millions of American families. The brightest talents of America's most prestigious public relations and advertising agencies are now at work on the task. Their mission is to insure that the public attitude toward Big Oil remains positive, despite what they may read in the news columns. Paid for out of the most stupendous windfall profits in the history of the oil business, these professional media managers have been hired to transform a policy crisis into an "oil crisis." In the process, the methods they are using raise important questions that deeply affect public opinion and policy formation.

Operating in an environment that is increasingly hostile to their oligopolistic practices, the oil companies have largely abandoned traditional modes of advertising, promotion and merchandising. Control over both the medium and the message has quietly shifted from Madison Avenue to a new group of communications specialists who work directly for the oil companies. The public relations department, or, as it is more frequently called, the communications or public affairs department, is where the power is today. Men such as Ruddick Lawrence, the Continental Oil vice president, corporate activities, and Herb Schmertz, vice president of public affairs for Mobil, are prime movers in this new scheme of things. Declaring that "accusations make headlines, answers wind up on page 31," Lawrence has put Continental Oil into the "news" business in a formidable way.

It is worth recalling that for most of the period since World War II the oil industry attracted little or no public attention. With powerful friends such as Johnson, Rayburn and Kerr in Congress there was little need to worry about the depletion allowance, environment measures, or that import quotas might be canceled. The public was content to believe that the oil industry was highly competitive—it said so in its advertising, didn't it? Moreover, the highly publicized gasoline price wars were a powerful promotional device for hoodwinking a gullible public. Few noticed that when the "war" was over, prices went back to normal—or more frequently, a little above normal, to recoup the promotional expenses.

Many people forget now that the oil industry actively encouraged the "arterial-sclerosis" which, beginning in the early 1950s with the Interstate Highway program, was by the late 1960s to leave the major American cities with more than 50 per cent of their usable land devoted to streets and parking lots. On Capitol Hill, oil lobbyists supported the government-subsidized 41,000-mile, $42 billion interstate highway network and, in the name of "freedom of choice," expressed delight that 88 per cent of all intercity travelers went by private automobile rather than railroad. The absurdity of a national policy that approved the construction of highways at $35 million per mile, while allowing its rail lines—each equivalent to twenty lanes of highway—to go to ruin is not entirely accidental. The oil, highway, and auto industries had more influence over Congress than did the beleaguered railroads. It was not until the 1970s, when the number of motor vehicles on U.S. roads had passed the 100 million mark (or thirty-six for every mile of surfaced street and highway in the nation), that Big Oil began to have qualms about the future. And with good reason.

For the first time since the 1930s, the oil industry was under attack. Suddenly, or so it seemed, everybody

Oliphant, Denver Post

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in the country was talking about "the quality of life" and criticizing the American automobile as a menace to clean air. As if overnight, the environmental movement became a mass movement, and Earth Day became a national celebration. Newspapers, magazines, radio talk shows and network TV began to reflect and report on the public awareness of pollution and other ecological problems. Walter Cronkite started a regular environment report, "Can the World Be Saved?," as part of his nightly news. All of the TV networks gave top play to news of marine oil spills. Suddenly the oil industry was in trouble with the American public. Then came the "energy crisis."

Just how much "crisis" there was in the energy crisis will be debated by scholars for years to come. What is not debatable, however, is the effect it had on the environmentalists. Like a bullet fired point-blank, it stopped the environmental movement dead in its galloping tracks. Oil executives made themselves available to the press and solemnly declared that, at present rates of consumption, the United States would run out of oil before the end of the century. Gas lines appeared overnight (and with them came cover stories in *Time* and *Newsweek* and regular stories in the nightly newscasts). Oil spills moved to page 31; the gas "shortage" made headlines.

Congressional hearings this past year have now revealed that some intricate oil swaps among the international oil companies, coupled to the worldwide economic boom in 1973, rather than the Arab oil boycott, was the prime reason behind the "oil shortage" of last winter. Strong demand, tight supply and nervous buyers pushed up the price of foreign crude oil—and along with it soared the profits of the American-owned international oil companies. In spite of the publicity about the new participation agreements with Saudi Arabia, Kuwait, Abu Dhabi and Qatar, a close reading of the testimony given before Congress indicates that the costs of these agreements were simply passed along to the customer. Market prices took care of increased royalties and as anyone who has looked at the stupendous 1973 profits of the oil companies can see, there has never been a more prosperous year in the checkered history of Big Oil. As *Business Week* noted recently, in a bit of classic understatement: "The U.S. has remained vulnerable to monopoly pricing in oil."

And how. In less than twelve months, Americans went from 40¢ gasoline to 60¢ gasoline, from 20¢ fuel oil to 35¢ fuel oil. During the same period, oil (which had presumably been selling at a profit) leapt from $3.86 a barrel to $11 a barrel. When you consider that Exxon's inventory (in contrast to that of your neighborhood corner store) is mainly in the ground, it is easy to see what wonderful things have happened to Exxon's bookkeeping during the so-called oil shortage. Today Exxon, like other oil producers, possesses a huge inventory of low-cost oil that is now being sold at prices beyond the wildest dreams of the robber barons. *Fortune* has calculated that every 1¢ rise in the price of a gallon of gasoline costs U.S. consumers close to $1 billion annually.

And as Stephen D. Krasner, an assistant professor of government at Harvard, pointed out recently in *The New York Times*, "The rising profits of the major corporations suggest that they have no direct economic incentive to lower the price of crude oil. On the contrary; oversupply and the consequent competition continue to be . . . the greatest danger they face."

With millions upon millions of dollars to spend on advertising (most of it tax-deductible) and with absolutely no domestic competition, the oil companies have largely dropped product advertising in favor of "idea" or "involvement" advertising. On a wide front, the oil majors are attempting to create a kind of countervailing force to the ordinary channels of news dissemination. Their executives are being specially trained in television news techniques. Burson-Marsteller, the New York public relations firm, has so far trained more than 1,200 domestic and overseas executives of Gulf Oil. Harry Bridges, president of Shell Oil Co., is a recent alumnus of J. Walter Thompson's Dialogue Telecommunications Development Course. He told *Business Week*, "This business of communication has become as important as finding more oil." Says Arnold Zenker, one-time substitute newscaster for Walter Cronkite and now president of Arnold Zenker Associates, "Our greatest market seems to be among companies where Ralph Nader has just been."

Behind all of this is a single objective: getting the consumer to think right about the corporate entity. Mobil, the third largest petroleum company in the United States, is a textbook example of the new "involvement PR." Its "idea" advertising is propaganda, artfully served up. A Mobil ad, which caused a number of Congressmen to complain to the FTC, asserted, "Today, there's a worldwide shortage of crude oil." In its defense Mobil claimed that the statement was "fully supportable," but told the Federal Trade Commission, "We do understand that in some degree it is, like the views of the politician and the media on the same subject, an expression of a subjective evaluation of known facts in the real world."

A blatant example of Mobil's "subjective" approach was uncovered by an alert Associated Press writer who was watching one of Mobil's TV ads. The 30-second commercial, designed as news, showed a man walking through a desert while an unseen announcer intoned:

> Here's what drilling for oil is like. It's like drilling a lot of holes in the ground, throwing a lot of money in each hole and hoping some of the holes become oil wells and throw money back.
>
> About one hole in sixty actually pays off. Last year Mobil threw over $100 million into holes in the ground. Drilling for oil is a very risky way to make money.

When the Associated Press checked American Petroleum Institute figures, it found that, of all new exploratory and production wells drilled worldwide last year, 61.2 per cent struck oil—thirty-six times better than the one-in-sixty figure in the Mobil ad.

The CBS and ABC television networks, to their great credit, have consistently refused "idea" advertising. Arguing that the policy exists because broadcast time is limited, Arthur R. Taylor, president of CBS Inc., has said: "To permit this time to be purchased for propaganda purposes, other than certain political views, would mean that

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those with the most money would get to talk the loudest."

To reach the educated and the affluent (the citizens most likely to write their Congressmen) Mobil has moved into Public Television in a big way. John J. O'Connor, *The New York Times* TV critic, noted in an article headlined, "Can Public Television Be Bought?," that the modest advertising that once accompanied Mobil's corporate investment in Public TV has given way to full-page ads and huge billboards ballyhooing "The Mobil Season." "Recognition of the local station in this process is limited to the small type at the bottom of the page," says O'Connor, who adds that after he had written a favorable review of *Upstairs, Downstairs*, "I received a letter from a Mobil official complaining that I hadn't given credit to the corporation." The latest Mobil contribution to Public Television has been *The Way It Was*, a sports series hosted by Curt Gowdy. The final credits note that the series was "created by" Herb Schmertz, vice president of public affairs for Mobil.

As "idea" advertising accelerates, several Congressional committees are looking into some of the questionable tax deductions taken by the oil industry. A questionnaire sent out by Sen. Philip Hart (D., Mich.) has discovered that nearly thirty-five energy companies claimed tax deductions for their ads. Of eight oil companies surveyed, seven said that all their ads were "nonpolitical." Among the ads thought nonpolitical were:

- ¶A Phillips ad urging readers to write their Congressmen about auto emission standards.
- ¶An Exxon ad that criticized the Clean Air Act and called for de-regulation of natural gas.
- ¶A Shell Oil ad criticizing the proposed excess profits tax.
- ¶A Texaco ad defending high profits as necessary for capital investment.

Contending that such advertising seeks to promote or stave off legislative or government action that would influence oil-company profits, Harvey J. Schulman of the Media Access Project has asked the Senate Commerce Committee's environmental subcommittee to create some new "enforcement mechanisms." Schulman estimates the annual cost of the energy industry's political advertising at between $30 million and $70 million. He says: "As taxpayers and utility ratepayers we have an interest in insuring that millions of our dollars are not spent to subsidize one-sided political propaganda."

In an age when the technology of political manipulation is expanding it is to be expected that propaganda will be widely practiced and highly regarded. Indeed the possibilities for refinement are endless. So far, the oil companies have concentrated solely on using the available channels of communication, but why should they not go further?

Within the next decade the Arab oil countries will add around $400 billion to their financial assets, and many of these "petrodollars" will return to the United States for reinvestment. It will be worth watching closely how they are used. As an extreme example, a partnership of Exxon with Saudi Arabia could most certainly purchase all three television networks. That kind of thing would run into some pretty tough legal roadblocks, but it is not impossible to imagine the acquisition of substantial blocks of stock—enough to influence policy.

There is already talk of an $8 billion Arabian investment in IBM, perhaps the world's largest communication company. And as new and imaginative "partnership" agreements spring up between the Arabs and the international oil companies, Mobil's chairman, Rawleigh Warner Jr., will be able to say with even stronger conviction than he does today: "We are perfectly willing to take our chances in the marketplace of ideas." □

ROCKEFELLER'S DRUG LAW

Playing Politics with Addiction

CAROL TRILLING

At the start of the new legislative session in January 1973, Nelson Rockefeller introduced a new and aggressive anti-drug law to the residents of New York State. Its aim was "to make the selling or conspiracy to sell hard drugs, the possession or conspiracy to possess large quantities of narcotics and the commission of violent crimes by persons who had ingested hard drugs punishable by the mandatory sentence of life imprisonment." This meant, in practice, that anyone convicted of selling or possessing any quantity of any "narcotic" drug (including marijuana), hallucinogens, amphetamines or depressants, would, if older than 19, be sentenced to prison for the remainder of his or her life. Furthermore, the defendant would not be permitted to plead guilty to a lesser charge, nor be eligible for probation or parole. The bill would also make it a new crime to commit any number of "conventional" offenses after having knowingly ingested one of the unlawful substances. Knowing ingestion was to be presumed if, within forty-eight hours after the crime, traces of a hard drug could be found in the defendant's body. (This despite scientific evidence that many of these substances cannot be detected after as short a time as several hours.)

Governor Rockefeller's proposal attempted to make the sanctions for possessing and selling even small quantities of "dangerous" drugs equal to or more severe than those available for seemingly more serious crimes—murder, assault, burglary, etc. Although the bill was changed

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somewhat in its passage through the legislature, it remained a hard-nosed attempt to control drug use and abuse in New York State.

Considering the immense amount of research conducted in the United States on drug use, and the almost overwhelming weight of opinion to support the liberalization of drug laws, it is difficult to understand how such a repressive bill could have found backers. However, a brief look at early drug legislation may point to an answer.

The first significant federal legislation dealing with the sale and use of narcotics was the Harrison Act of 1914. This had been preceded by the Hague Opium Conference of 1912, at which an international agreement was made to control the traffic in opium and other addicting drugs. The Harrison Act was passed to control the domestic sale and use of opium and coca products through the levying of taxes on them. Despite the fact that it was primarily a revenue measure, it contained exceptionally harsh and punitive penalties. Also included in its provisions were stipulations for registration and maintenance of records by individuals who handled the drugs. Further, it prohibited drug possession by those not registered, except for "legitimate medical purposes." Ostensibly, its purpose was to make drug distribution in this country visible and thus controllable. There is little indication that its intent was to deprive addicts of legal access to drugs or to interfere with the medical treatment of addicts. Later Supreme Court rulings as to what were "legitimate medical purposes" were responsible for the repressive measures accorded addicts. The cases of *Jin Fuey Moy* (1920), *Webb* (1919) and *Behrman* (1925) sought to impose increasingly strict limits on the sources from which addicts could obtain maintenance doses of narcotics. For example, the Court held in *Webb* that a legal prescription for maintenance levels of narcotic drugs was *not* within the parameters of a law which *did* however allow doctors to prescribe these drugs "in the course of professional treatment." The other cases, essentially refinements of this theme, set further limits on the ability of the medical profession to alleviate the distress of drug users.

The extremely harsh implications of these cases were mitigated, nominally, by the *Lindner* case (1925), in which the Court reiterated that the Harrison Act was intended only as a revenue measure. The Act said nothing about addicts and did not undertake to prescribe methods for their treatment. Although intended as a rule of enlightenment, the effects of this case remained largely symbolic and yielded little to either addicts or their treatment by physicians.

When the Harrison Act was passed there were thought to be 400,000 addicts in the United States, many of whom had been inadvertently "turned on" through the use of soothing syrups and painkillers, before these substances were known to be addictive. Prior to the passage of the Act, such persons could buy, legitimately and inexpensively, the drugs necessary to sustain their habits. "Criminal" addicts were unheard of. The black market in drugs and all the related problems resulted from a law aimed at controlling and decreasing the availability of drugs. Society's ameliorating attempts only aggravated a situation which previously had not existed as a problem. The implication is not that the laws generated addiction; rather, the fault lies in the manner in which they restricted access to the drugs.

The Jones-Miller Act was passed in 1922. It, too, was presented as a tax measure, but its extreme penalties—a fine of $5,000 and imprisonment for anyone "who fraudulently or knowingly imports or brings any narcotic drugs into the United States . . . or who buys, sells or facilitates the transportation . . . of any such narcotic drug"—suggest that its principal purpose was not to raise revenue but to deter and harass addicts. Between 1927 and 1932, the Uniform Narcotics Law was prepared by the Federal Bureau of Narcotics, which had been established under the Treasury Department in 1930. This law was "designed to facilitate enforcement by promoting cooperation between federal and non-federal officers and by creating uniform standards of record keeping."

The next federal legislation resulted from the tremendous escalation in narcotics use following World War II. The Boggs bill of 1951 greatly increased the penalties for those convicted of narcotic offenses and in addition made it much easier to obtain convictions. The bill enlarged the penalty from a ten-year maximum to a graduated schedule of penalties. The most severe penalty for a third or subsequent offense was a ten-to-twenty-year sentence, with probation and parole excluded, for sales to adults. If the buyer was a minor, the penalty was ten years to life, again without probation or parole, and with the death penalty applicable if recommended by the jury. The bill's main assault was upon the small street peddler, since the penalty for first offenses was a mere two-to-ten-years, with both probation and parole possible. Generally, large traffickers are first-time offenders, and the harshness of this law thus fell mainly on the pusher-addict, the least deterrable of all the players in the narcotics racket.

By the 1960s the drug problem had become overwhelming, especially in the cities. In 1965 a federal law regulating dangerous drugs was enacted in the form of enforcement to the Food, Drug and Cosmetic Act. Administration was to be carried out by the Food and Drug Administration, whose agents were given increased power in an attempt to control the "menace." They were permitted to carry firearms and were accorded search, seizure and arrest powers.

The drug control laws in the individual states followed essentially the provisions of the federal statutes. The penalties, however, varied considerably from state to state.

The Narcotic Addict Rehabilitation Act, passed in 1966, was a civil commitment bill which in a variety of ways allowed for the confinement of a "sick" addict for treatment. It was quickly judged a failure due to the fact that the rehabilitation programs closely resembled prison programs and so did little to "cure" addiction. The Comprehensive Drug Abuse Prevention and Control Act of 1970 embodied both a punitive and a rehabilitative approach to the drug problem. It abolished the extreme mandatory and minimum penalties and made sentencing more flexible by permitting the offender to be placed on probation for medical treatment.

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In spite of apparent changes, actual government policy has remained much the same since the *Webb* decision. That it has not worked can be seen in part by the spread of addiction in the past ten years. From 1966 until 1969 the number of federal drug arrests increased from 22,000 to 67,000. Expenditures of police time and effort, money spent on drug education and prevention, and every new form of civil and criminal legislation have failed to solve the problem.

The alleged function of the various drug laws, including New York State's Draconian measure, is to deter the use and sale of drugs. They would thus also eliminate the street crime that accompanies illicit drug use. Faith in deterrence assumes the individual's fear of detection and consequent punishment. A study on deterrence has noted that:

> It is very much a function of the psychological state of the individual, as he perceives the stringency of the penalty and the capacity to have it imposed. If the individual fails to perceive the deterrent or perceiving it remains unimpressed by it or decided that the risk of incurring it is acceptable or believing the risk to be intolerable, acts anyway, then there can be no deterrence at all. (*Goodman, et al.*, 1966.)

While it is frequently assumed that, if penalties were severe enough, drug addiction and drug traffic would disappear, the fact is that attempts to deter addicts by these methods spring largely from the prevailing superficial views on the nature of addiction. A workable definition of addiction is that it begins at that moment when the user no longer takes drugs for pleasure but solely to avoid pain. At that point, drug use becomes involuntary and is observable mainly in its absence. The new drug law in New York State fails to distinguish between addicting and nonaddicting drugs. Few threats are sufficient to deter a habituated heroin addict; the "soft," nonaddicted drug user *may* be deterred, although harsh punishment is neither the most efficient nor the most effective way to accomplish the goal. Unlike the addict, the user of LSD and marijuana has the advantage of being able to weigh the risks and possible consequences of his behavior: the risk of getting caught, against the harshness of the penalties should that occur. Very few people knowingly commit criminal acts expecting to be detected, unless they have previously weighed the risks and decided that the acts are "worth" any potential penalties. If the latter is the case, little if anything would serve as a deterrent. On the other hand, if the individual does not believe he will be caught, the severity of the penalty can have little effect on his decision.

Deterrence is also advocated on the assumption that stringent law-enforcement practices insure individual conformity to the law. A footnote in *Robinson* v. *California*, a 1960 Supreme Court decision, noted just the opposite:

> It is the very severity of law enforcement [which] tends to increase the price of drugs on the illicit market and the profits to be made therefrom. The lure of profits and the risks of traffic simply challenge the ingenuity of the underworld to find new channels of distribution.

If one believes in the efficacy of harsh penalties as deterrents, the probability of detection and the speed of punishment are essential elements. The certainty of a six-month sentence would have greater deterring force than a possible, but unlikely, life sentence. If an individual does consider the risk involved, the probability of a swift and certain sentence is part of his calculation. The criminal justice process is at present so sluggish that even though criminal acts may eventually be punished, a penalty which is handed down several years in the future can hardly be an effective stop to present criminal behavior. Even the 100 additional judgeships mandated by the new drug law in New York are unlikely to speed up the process. The judicial stage is only one of many steps the defendant must pass through in his processing, and the rest of the system will operate as slowly as ever.

The primary thrust of the Rockefeller drug legislation is toward eliminating the visible presence of addiction: street crimes and the small pusher. The importers and wholesalers exist behind the scenes, and although they are the source from which drug traffic flows, their obscurity permits them to seem removed from the process. The more easily discernible pusher is the object of the anger, hatred and fear which the drug problem unleashes. The political expediency of the Rockefeller approach was thus obvious. It helped assuage the white majority of the state's residents, who were thrown into terror by the escalation of the drug "menace." Many black leaders in the state felt that at last something was being done to alleviate a problem which until very recently had been theirs alone. It is interesting in this context to note that it was not until the 1960s, when large numbers of the white middle class began to view drugs as a personal problem, that anything at all was done.

On its face, the drug legislation is aimed at eliminating the upper ranks of the drug world as well as the street people; as it stands it will not succeed in that respect. The big dealers are physically detached from the actual maneuverings and manipulations of the drugs, and it is only through physical contact with drugs that convictions will be obtained. The legislation does contain a clause for conviction for conspiracy to sell, but conspiracy convictions are notoriously difficult to sustain. Even if it were possible to get at the present importers, hope of complete and total deterrence is an illusion. The profits are so high and the risks so minimal that there would be a steady flow of those eager to step in and fill any existing voids in the trafficking. Diversion, not deterrence, would be the outcome.

There are other difficulties with this legislation. Not only may the law fail as a deterrent; it may well exacerbate the situation. If the usual channels for moving drugs are closed, new ones will be opened. The drug traffic will not cease, but its base of operations may be forced to relocate. Foreseeing this problem, the Governor of Connecticut urged that a bill mandating the death penalty be adopted for twice-convicted narcotic peddlers. However, changing the locale of drug operations will neither alleviate the problem nor please the communities into which the operators move.

If the legislation has even a minuscule effect as a deterrent, and thereby decreases the quantity of drugs on

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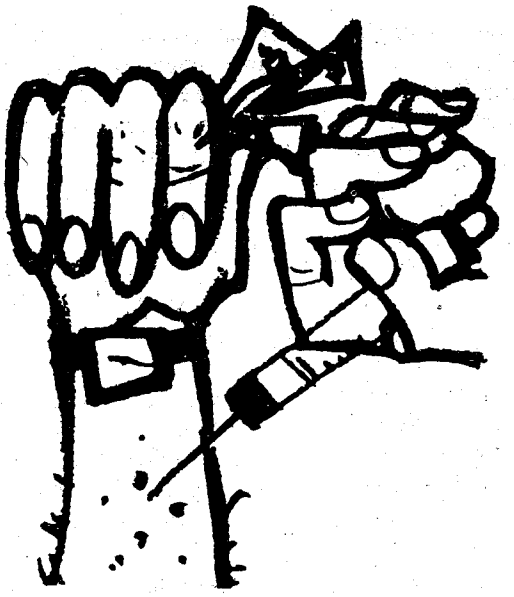
the street, the results could be disastrous. The demand for heroin is inelastic and will not be reduced by diminished availability. However, a decrease in the supply will skyrocket the price. In order to satisfy his need, an addict will be forced to turn still more often to the easiest and most profitable source of money—street crime.

The provision for harsher penalties for those convicted of violent crimes while under the influence of drugs is unlikely to have a deterrent effect on either drug use or violent crime. Even employing what appears to be one of the law's basic assumptions, it makes little sense. If drug addicts and users are incompetent, morally irresponsible individuals, it is difficult to understand the rationale for punishing them for deeds which they are incapable of controlling. Punishing an individual for something over which he has little or no control is not likely to inculcate a sense of respect for the law. Indeed, it smacks of retribution, an argument for punishment that is at present out of favor.

Predicating more stringent penalties on the belief that drug ingestion leads to more violent crime has questionable value as a deterrent. The evidence does not support this theory. Furthermore, American criminal law stipulates that the penalty must be based on the act, rather than on the condition of the user. It would be difficult to imagine the justification for the increased penalty other than as a retributive measure. Inequitable and excessively harsh penalties often cause people to regard the law as unjust. Thus juries may become reluctant to convict.

A final aspect of the new drug law merits mention. The bill authorizes a reward of $1,000 to be paid to persons who provide information leading to the apprehension and conviction of hard drug pushers. It must be noted that the application of this provision to the hard drug pusher alone assumes a belief that heroin and the other addicting drugs are the source of the urban crime problem, and thus the primary focus of the law. Appending LSD, marijuana and other soft drugs to the legislation was for effect only. It was, therefore, a dramatic appeal, based on the promulgated belief that users of these nonaddicting substances are a threat to the established order. The soft drug users are to be hounded not so much for their behavior—drug use, sales or possession. They are to be hounded for being what they are—people who have a predilection toward using drugs, in a manner similar to those who use alcohol or even tobacco.

The bounty aspect of the drug law will certainly not deter the wholesalers and importers, who are protected by a complicated network of "front men." For several reasons, it is unlikely that this provision will deter addicts or pushers either. If an addict attempts to turn in a pusher, a report of his activity is certain to be circulated. It will, thereafter, be difficult if not impossible for him to obtain drugs, since few would risk selling to him. Desperate as this individual may be for the cash reward, it is unlikely that he would be willing to jeopardize his future supply. It is also conceivable that a pusher may be inclined to turn in a fellow pusher, either for the reward, or to rid himself of competition. If this did in fact occur, the crime problem would only escalate. A decrease in the total number of peddlers would enable



those remaining to become more selective in their dealings and to charge higher prices. The addicts would be forced to increase their criminal activities in order to meet the higher prices.

Thus, in all its particulars the new drug law seeks to deter addiction and the ancillary street crime in a fashion that is likely to aggravate an already mammoth problem. What it does not and cannot do is decrease or eliminate the need for drugs.

At present, however, much of the above is speculation. For all its inclusive measures, the legislation notably lacks any evaluative provisions. Only through evaluation and research can its deterrent claims be substantiated or proved false. Several private foundations have recently embarked upon evaluative studies, but the law is so new and the studies so recent that little information has as yet been collected. The Division of Criminal Justice Services is the department in the state machinery responsible for statistical information on criminal activity. It has published two quarterly reports which have some gross data on drug arrests. The reports show that in New York City drug arrests have fallen off; during the same time period drug arrests have risen upstate. The report makes no attempt to explain this development, but various interpretations are possible. One is that the law is in fact working as a deterrent in the city. Fewer people are using drugs, therefore fewer are eligible for arrest or are in fact arrested. A more likely interpretation involves law-enforcement patterns, and it is supported by another piece of information. A lawyer involved in the ABA-Vera Foundation evaluation noted that in New York City marijuana arrests are up, while heroin arrests have dropped. There is speculation that the police are making the easier arrests. Rather than going after heroin dealers, who are more likely to resist, since they have more to lose, the police arrest the soft drug users who are an easier mark for police tactics. Unfortunately, it is much too soon to judge the significance of the data. It will be several years before the full ramifications of the new law can be understood and the efficacy of the law determined.

A deterrent does not have to be a legal mandate; it may be anything that inhibits the activity at which

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it is aimed. And in the realm of criminal deterrence, punishments, whether moral or legal, are not the only possibilities. Such things as economic aid, special educational advantages and other positive action might take the place of the usual punitive deterrents—which, in the case of drug abuse, have been directed primarily toward the users.

Other tactics could be employed. For example, there have been few attacks on those who supply the dealer with the paraphernalia he needs to sustain his business. The large companies which manufacture glassine envelopes have a production rate that far exceeds the demands of philatelists. Quinine also has at present little use except for the dilution of heroin. Few if any governmental attempts have been made to inhibit the production of these commodities, even though it is known that their major use is by the illicit drug industry.

A more drastic step would be to legalize heroin. It could then be dispensed free at clinics, or purchased without controls at drugstores. The British dispensing program has not been entirely free of trouble, but in England virtually no street crime is associated with the drug problem.

Thomas Szasz, in an article published prior to the Rockefeller announcement, pointed out that to support addicts in their habit would be much less expensive than all the preventive and rehabilitative programs now employed:

> During the 1969-70 fiscal year, NACC had a budget of nearly $50 million, excluding capital construction. Using these figures as a tentative base for calculating, here is what we come to: $100 million will support 30,000 addicts at $3,300 per year.

It seems, then, that it might be cheaper to support legions of addicts than to attempt to cure or punish them. The fiscal appropriations suggested in the new law make the expenditures for drug control totally unrealistic. The economic burden imposed on the residents of New York State would far exceed any potential deterrent value. For example, the 1974-75 state budget allocates a whopping $197.3 million for its various drug-control programs. When one considers that the total budget for the state is $9.8 billion, that is an enormous chunk. Thus, one might ask not if drug use can be deterred, but should it be, if the expense is so great?

Immediately upon announcement of the Rockefeller anti-drug proposal, critics and advocates embarked on their respective courses of denunciation and praise. After several months of hot debate, the bill was passed in a special summer session of the New York State legislature. It went into effect in September 1973 and was launched with tremendous media coverage. Radio and TV stations ran spot commercials, and newspapers carried full-page ads, all exhorting people to turn themselves in to the NACC centers to avoid prosecution. The state seemed committed to proving to its residents that it meant business. One hundred new judgeships were authorized to expedite the anticipated horde of new drug cases—although as of the present budget, money has been provided for less than half of these posts.

The bill has been somewhat amended since its inception to include a specific schedule of penalties for given quantities of drugs. An important change in the final version stressed the imposition of a life sentence, rather than life imprisonment. Public outcry had forced the withdrawal of mandatory life imprisonment. However, life parole is hardly something to look forward to. As Rockefeller pointed out, a parolee can do nothing with his life—get married, for example—without the permission of his parole officer.

A little known fact is that this latest drug legislation was unnecessary from the standpoint of criminal justice. Many of the "new" sanctions were already available to prosecutors and judges, although in somewhat different form. For example, it was already possible to impose life imprisonment on anyone convicted of a Class A felony. While this did not apply specifically or solely to drug offenders, it could and had been applied to them. Second, extremely harsh penalties for drug crimes already existed in the New York State statutes. However, they had little deterrent effect because of problems of detection, enforcement and conviction—the same problems that plague the new law.

While state law-enforcement agencies and NACC were busy decrying the evils of drug use, they were at the same time promulgating the concept that drug abuse is a treatable "disease." This mode of attack would give the state additional powers over those possibly not qualifying for long-term incarceration under the criminal codes. Individuals not otherwise eligible for prison could conceivably qualify for civil commitment at one of the state-operated treatment centers. Immediately before the bill was passed, NACC had been eager to supply hints on ways to obtain entry into the treatment facilities. It was, however, silent on procedures leading to release.

In a separate provision, the new bill sought additional funds for increased treatment facilities. This seemed particularly incredible in light of the acknowledged failures of the past. By the state's own figures, and in the Governor's own words, these centers have been spectacularly unsuccessful in fulfilling their promise of rehabilitation. Not only had drug use risen out of proportion to the rate of population increase since the 1966 declaration of "war on drugs," but the recidivism rate of "cured" drug users is phenomenally high.

The conclusion to be drawn is quite clear: the aim of the Rockefeller drug legislation cannot be to deter drug use or its related crimes. What then was its purpose? It is easy and all too obvious to ascribe to Rockefeller "political motivations" for introducing such legislation. Perhaps it is not so much a question of "Why did he do it?" as "How was he able to do it?" To answer that, we must, as Wilhelm Reich suggested, search the heart of Everyman. □

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BOOKS & THE ARTS

The School Yearbook with the Barbed-Wire Design

FAREWELL TO MANZANAR. *By Jeanne Wakatsuki Houston and James D. Houston. Houghton Mifflin Co. 176 pp. $5.95. Bantam Books. Paper $1.25.*

DOROTHY BRYANT

I have forgotten the names of nearly all my 7th-grade classmates, except that of Yoshio, who disappeared suddenly one day in 1942. My parents and teachers explained all the sinister differences that made it necessary to remove Japanese-Americans (but not Italian-Americans like us) from the West Coast, for the sake of my safety. But I knew they were lying, even if they did not seem to know it.

In the late 1950s, teaching in a San Francisco high school, I mentioned the Japanese-American internment. My students gaped, then laughed. I had invented it. It had never, could never, happen here. Suddenly I realized the extent of the blackout of this shameful episode. "It never happened" meant that the deep, unexamined shame I had felt ever since the disappearance of Yoshio was felt by all Californians of my generation. I assigned the homework: "Go home and ask your parents."

My students (male, average I.Q. 120 and all Caucasian but two Chinese) returned the next day, informed but defiant, and said, yes, it happened, *but*. Then they repeated all the racist rationalizations I remembered from 1942, word for word. "But you don't believe that nonsense!" I exclaimed. Their eyes shifted away from mine, and their faces closed. The lies, the defense, the justifications, and the underlying shame seemed to have been passed on to the next generation.

The silence regarding this disgrace seemed imposed by Japanese-Americans as well. Books on the subject were few and never sold well. It was as though the victims themselves felt ashamed of their persecution, never mentioned it and seldom read or wrote about it. Perhaps that same undefined, unexamined shame kept me from reading much on the subject until I picked up *Farewell to Manzanar*.

Jeanne Wakatsuki was 7 years old when her family was taken from their Long Beach home to a desert encampment called Manzanar, where they lived for three and a half years. Jeanne adjusted without quite knowing there was anything to adjust to. "At 7 I was too young to be insulted." The experiences she recalls now, thirty years later, must be among the hardest for anyone to come to terms with: the deep hurt without cruel intent, almost without awareness of injury, more deeply damaging because of this very lack of awareness.

For example, internees were not starved like their European counterparts, but the abundant mess-hall eating was nevertheless deeply destructive. ". . . We would eat in gangs with the other kids, while the grownups sat at another table. I confess I enjoyed this part of it at the time. We all did. A couple of years after the camps opened, sociologists studying the life noticed what had happened to the families . . . edicts went out that families must start eating together again. . . . It was too late. . . . My own family, after three years of mess-hall living, collapsed as an integrated unit."

Life at Manzanar was full of the contradictions that may be ultimately harder to cope with than outright brutality. There was the very American school yearbook, with a barbed-wire design on the cover. There were dancing classes and criminally inadequate medical facilities. There were, eventually, lush gardens and orchards, where men like Jeanne's father squatted in alcoholic despair. In 1942 the internees had arrived paralyzed by shock and fear. In 1945 many had to be forced to leave, paralyzed by fear of life outside. A matching irony permeates the bits of family history woven into the story, from the arrival of Jeanne's father in America in 1905 to the visit of Jeanne's brother to the ancestral hometown in 1946, "the ash heap of Hiroshima."

It was not until years after leaving the camp, back in Long Beach, in her last year of high school, that Jeanne had her first glimpse of the shadowy paradoxes she would have to sort out in order to find herself. Both by using racial stereotypes and fighting them, she managed to be elected carnival queen. At her moment of triumph—the procession over bed sheets, toward the plywood throne in the high school gym—she was almost overwhelmed by cold clarity:

> I stepped out into blue light. . . . The gym was packed and the lights were intense. Suddenly it was too hot out there. . . . The throne seemed blocks away, and now the dress was stifling me. . . . What was I doing out there anyway. . . . I wanted to laugh. I wanted to cry. I wanted to be ten years old again, so I could believe in princesses and queens. . . . I wanted the carnival to end. . . . But all eyes were on me. It was too late now not to follow this make-believe carpet to its plywood finale, and I did not yet know of any truer destination.

James Houston, Jeanne's husband and co-author, is quoted in the foreword: "The issue isn't what we wanted to write about," but rather the private human experience. *Farewell to Manzanar* succeeds with such grace in this effort because the Houstons were not simply trying to communicate facts as Jeanne knew them, but were themselves on a search to touch the truth of her experience, to examine it, and to understand it wholly. The great strength of the book is the sense it gives the reader of being allowed to accompany Jeanne on this most personal and intimate journey.

Jeanne tells this striking anecdote about her mother. The family had been given forty-eight hours to leave their home, and the predators were closing in. A second-hand dealer "prowling around for weeks, like . . . [a wolf]," offered her $15 for a "fine old set of china, blue and white porcelain, almost translucent." There was no possibility of taking it along.

> He said fifteen was his top price. . . . she just glared at this man, all the rage and frustration channeled at him through her eyes. . . . She reached into the red velvet case, took out a dinner plate and hurled it at the floor right in front of his feet.
>
> The man leaped back shouting, "Hey! Hey, don't do that! Those are valuable dishes!"
>
> Mama took out another dinner plate and hurled it at the floor, then another and another, just quivering and glaring at the retreating dealer, with tears streaming down her cheeks.
>
> He finally turned and scuttled out the door, heading for the next house. When he was gone she stood there smashing cups and bowls and platters until the whole set lay in scattered blue and white fragments across the wooden floor. □

Dorothy Bryant wrote Ella Price's Journal, *now in a paperback edition (New American Library). She teaches English at Contra Costa College, near Berkeley, Calif.*

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Common Theme of U.S. Policy

THE BIRTH OF NATIONS. *By Philip C. Jessup. Columbia University Press. 361 pp. $14.95.*

MAX GORDON

As early as 1946, Sumner Welles, ex-Under Secretary of State and FDR's intimate foreign policy adviser, denounced Washington's "timid and vacillating" attitude toward colonial independence as the source of the "tragedy and ruin" then sweeping Indochina and Indonesia. Welles insisted that world peace required the assumption of United Nations responsibility for the revolutionary transformations taking place in the Orient, and he left no doubt of his belief that the United States was evading this course. Following Roosevelt's death, he wrote, the view had gained ascendancy that "American superior military power could provide security, and that a frankly imperialistic policy involving acquisition of far-flung strategic bases throughout the world would be essential if our military might were to become predominant."

Even earlier, in November of 1945, Patrick Hurley, resigning as Ambassador to China, vehemently protested to President Truman against U.S. colonial policy. "Instead of putting our weight behind the U.N. Charter," he wrote, "we have been definitely supporting the imperialist bloc." Hurley's letter appeared in the State Department's 1949 China White Paper. Philip C. Jessup was the White Paper's editor in chief.

As deputy to U.N. Ambassador Warren Austin and as ambassador-at-large during the formative cold-war years 1948 to 1953, Jessup was an active executor of State Department policy in several critical incidents involving the breakup of European empires. In this "frankly personal" account of his experience, he documents Washington's "vacillating" attitude toward colonial independence in several cases, and its firm attitude against genuine independence in Indochina. His testimony suggests, without his drawing any conclusions, that these vacillations continued to result in "tragedy and ruin" in Indonesia while Washington's stand in Indochina and Korea gave rise to even greater tragedy and ruin. He defends Korean policy; and while characterizing later Indochinese policy as a "disaster," he carefully distinguishes U.S. conduct during the period when he was involved from U.S. conduct during the war in Vietnam, which he actively opposed.

Jessup is an outstanding "establishment" authority on international law. A professor at Columbia, he served in numerous State Department and U.N. posts, winding up as the U.S. member of the International Court of Justice at The Hague. His reputation is that of a liberal internationalist dedicated to world peace. In the immediate aftermath of World War II, when hopes were high for the U.N. as harbinger and instrument of a revolutionary change from Machiavellianism in international relations, he was an eloquent spokesman for those hopes. In recent years he became an active, influential foe of the Vietnamese War. A member of the Consultative Council of the Lawyers Committee on American Policy Towards Vietnam, which has been at the center of the legal struggle against the war, he wrote in 1970 to every member of the Senate urging a cutoff of funds for the war. He sent messages to heads of state around the world asking support for U.N. Secretary General Waldheim's efforts to halt U.S. bombing of North Vietnam's dikes. Needless to say, his remonstrances were more significant than yours or mine.

His purpose, he writes in his book, is simply to make available some details of history. While he offers some judgments, a few defensive and others critical, in the main he leaves evaluation to the reader. His observation that in international law "legitimacy is less important than success" probably explains the late opposition of cold-war liberal individuals, organizations and newspapers to the Vietnamese conflict. They supported the political course which gave rise to the war but turned against it because of its failure to bend the Vietnamese to Washington's will. The observation also implies that, like other early believers in the U.N. ideal, Jessup has concluded, in the words of a former member of the U.N. Secretariat, Conor Cruise O'Brien, that mankind is not yet ready for the drastic change in relations among nations called for in the U.N. Charter.

In his memoir Jessup reviews the details of his participation in U.N. actions establishing as states South Korea, Indonesia, Israel, Italy's North African colonies, French Morocco and Tunisia, as well as in American efforts to legitimize the French-sponsored Bao Dai regime in Indochina. Washington's blatant use of the U.N. as a cold-war instrument is striking, as is the subordination of what in principle should have been dominant—the aspirations and desires of the peoples involved—to presumed military-strategic requirements. These frequently included the acquisition of military bases, as Welles had prophetically warned.

The "backdrop" against which the "drama" unfolded in Korea and Indochina, according to Jessup, was a top-secret memorandum, dated July 18, 1949 (when he was U.S. ambassador-at-large), which read: "You will please take as your assumption that it is a fundamental decision of American policy that the United States does not intend to permit further extension of Communist domination on the continent of Asia or in the Southeast Asia area." Washington thus presumed to determine for the Asian peoples whom they would be permitted to choose as rulers. What if a people should select Communist leadership, as Jessup repeatedly indicates Washington well knew was the actual situation in Indochina? How square the memorandum's instruction with U.N. principles? One way was simply to deny the possibility; no people would choose communism voluntarily. In Indochina, it was argued, the Communists had captured nationalist sentiment but did not have popular support for their Communist program. Another tack was to label all Communists tools of Moscow, hence not indigenous leaders. "This," Secretary of State Acheson reportedly said with respect to the Mao regime, "gives us our fundamental starting point." Intervention by the United States represented neither domestic interference nor denial of independence, for how could a nation under Communist leadership be independent? The cold-war myth of a world Communist monolith under Moscow's iron control was thus an essential rationalization to permit U.S. intervention unhampered by the restraints of the U.N. Charter.

Jessup's account of the Korean conflict does not extend to the war but to its political genesis—the U.N.-engendered establishment of South Korea as a separate state claiming jurisdiction over all Korea. Jessup played a major role in this. On Washington's initiative, the U.N. General Assembly set up a Temporary Commission on Korea in November 1947, to prepare for a national election early in 1948. The Soviet bloc opposed this, apparently on the ground that Korean unification was proceeding internally and should be allowed to continue without U.N. interference. Not permitted to enter the northern sector, the Temporary Commission was divided as to whether an election should be held in the South alone. Canada sharply opposed it, arguing that this would jeopardize ultimate unity and would further make the question a cold-war issue be-

Max Gordon, a former member of the editorial board of The Daily Worker, *resigned from the Communist Party in 1958. He is now a free-lance writer.*

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tween the United States and the USSR. Australia charged that South Korea was a police state and no honest election could be held there in any case, a view supported by large numbers of Koreans. But the United States prevailed and elections for a government were held in the South in May 1948. Jessup quotes Prof. Leland Goodrich to the effect that claims of irregularity were not such as to cause the commission to question the results.

But Jessup is plainly uneasy about the charge of responsibility for splitting Korea. As his book is being written, he says, North and South Korea have begun friendly negotiations on ways to reunite the country, thereby proving unfounded the fears of permanent division. But history has plainly refused to cooperate.

The legitimacy of the 1948 election is dealt with rather differently by another scholarly authority. A detailed study by Prof. George McCune—born and raised in Korea as the son of missionaries, and the State Department's Korean expert in 1944-45—was published posthumously in 1950. In 1947-48, it notes, South Korea was run by reactionaries who had been associated with Japanese colonial oppression and had a Japanese-trained police force expert in brutal suppression. All Left elements and others who sought peaceful unification had been suppressed, imprisoned, assassinated or forced to flee north. The conduct of the national police and of a pervasive storm-trooper formation known as the "youth organization" had made the U.N. commission "skeptical of the efficacy" of measures taken for free elections. Moderate and underground leftist groups in the South, and even the rightist Independence Party, opposed a separate election on the ground that efforts to attain peaceful unity had been insufficient; they feared permanent national division. Even the chairman of the South Korean Interim Legislative Assembly warned the commission that an election in the South alone would perpetuate the division.

Regarding the election itself, McCune cites "unofficial reports" concerning fraud and terrorism, and writes that a "more moderate view was that the elections were not in fact a free expression of the Korean will." The entire U.N. commission staff, he notes, consisted of thirty people, whereas even 500 observers would have been grossly inadequate on the basis of experience with other observed elections. According to McCune, John Foster Dulles, then acting chief of the U.S. delegation to the General Assembly, made it clear from the outset that U.S. policy was shaped to serve its anti-Communist purpose. McCune's account, including his report of efforts by both Northern and Southern Koreans to achieve peaceful unification, gives rise to the suspicion, which Jessup does not dispel, that the division of Korea was deliberately fostered by the United States in order to establish a reliable anti-Communist base run by a regime which would not hesitate to suppress all opposition. The U.N. was in this case Washington's instrument.

In discussing Indochinese developments in 1948-50, Jessup repeatedly emphasizes that no U.S. military deployment was ever considered. Washington's primary effort, he indicates, was to press the French to continue fighting the Vietminh and to give a greater show of independence to the Bao Dai regime, which had been set up to try to wean away nationalist support from Ho Chi Minh. Since, as the French made clear, the reason they continued to fight was to retain control of their colonial empire, Washington's two aims appeared to be in direct conflict. Its intent not to engage U.S. troops reduced its position to even greater absurdity: it insisted the French do the fighting for a primarily American concern. As the Pentagon Papers reveal, the State Department was then also pressing the French to open Indochina to American commerce and capital penetration.

Jessup concedes that U.S. policy in 1948 to 1952 may have been based on a "distorted interpretation" of the Indochinese struggle, which Washington actively entered in 1950. In view of the Pentagon Papers' revelations, Jessup's concession is modest. The Pentagon Papers tell us that U.S. intelligence was aware that there was no evidence that Ho took orders from Moscow; and there was ample evidence that Nehru was right when, as Jessup reports, he told Acheson that Bao Dai was without popular support and Ho had the bulk of nationalist backing. In fact, Jessup's account reveals that the State Department was itself well aware of the reality. Its reaction was to expand aid to the French and to Bao Dai.

In March 1950—soon after the United States recognized the Bao Dai regime—Jessup told the Senate Foreign Relations Committee that he and other diplomats believed in the "very critically strategic importance of the whole Southern Asia area," and that this was the prevailing view in the State Department. He writes that he does not believe this now. The Pentagon Papers reveal, however, that both the military and the National Security Council repeatedly emphasized not only the militarily strategic importance of Southeast Asia but regarded its rich natural resources as essential to U.S. security and the U.S. economy. As late as 1966, Secretary of State Rusk told at least three audiences that the Truman administration had intervened in Indochina for both reasons, and Eisenhower cites both in his memoirs.

Proposals for a U.N. observation commission in Indochina to determine if the Chinese were aiding the Vietminh were rejected by both the State Department and the French, Jessup tells us. They feared that such a commission might be compelled by pressure from the Asian nations to look into all aspects of the war in Indochina, with "hazardous results." He also reports that shortly after the Japanese surrender Ho asked U.S. authorities to request the U.N. to "realize their solemn promise that all nationalities will be given democracy and independence." Ho warned that "we will keep fighting until we get it." Jessup suggests that Ho was addressing himself to the wartime alliance, rather than to the newly formed international organization. But in 1946 and 1947 Ho appealed directly to the Secretary-General for U.N. intervention in the developing war, without any response whatever even from the Russians. When in 1948 the USSR sponsored U.N. membership for Ho's government, the United States marshaled a solid non-Soviet vote in the Security Council against it. On this occasion Washington used the U.N. to advance its position through nonaction.

In Indonesia, U.S. policy was suspended between the need for maintaining its alliances in Western Europe and its fear of losing to the Soviet Union all influence over the erstwhile colonial peoples struggling for independence. At a critical point in the Indonesian struggle in December 1948, Jessup was told by Assistant Secretary of State Rusk that the United States does not "espouse" the Indonesian cause as such. It pursues only its own interests; "Today we were critical of the Dutch, tomorrow perhaps of the Indonesians." Acheson "did not have much enthusiasm for the United Nations or for the cause of the Indonesian Republic," Jessup observes. In the end the United States was forced to take a position in favor of Indonesian independence because of a strong bipartisan move in the U.S. Senate to cut off economic aid to the Dutch, the increasing restiveness of small nations in the U.N. General Assembly and fear of a Communist takeover of the Indonesian revolution. In a sense, Jessup suggests, the United States and the USSR were both on the side of Indonesia in the Security Council but the USSR generally abstained from voting for U.S.-sponsored resolutions directed against the Dutch because they were too mild. The Russians, after all, were not hampered by concern for con-

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tinued close relations with NATO powers. Moreover, Jessup's account reveals that Washington systematically sought to exclude the Soviet Union from any participation in U.N. actions aimed at resolving the struggle, a procedure not likely to lead to enthusiastic Soviet support for U.S. initiatives. The same intent to bar Soviet participation appears in Jessup's testimony concerning the struggle within the U.N. for Moroccan and Tunisian independence, and for the disposition of the former Italian colonies of Tripoli, Somalia and Eritrea.

With respect to Palestine, Jessup centers on U.N. developments in the period leading up to the British pullout on May 14, 1948. The Security Council and General Assembly had voted, in November 1947, for partitioning Palestine to form a Jewish and a Palestine Arab state, a solution which the Jews ardently backed and all Arabs, including the Palestinians, bitterly opposed. Implementation awaited efforts to win acceptance. But the British decision to end their mandate and pull their troops out required some U.N. action. The United States proposed a temporary trusteeship, a position widely viewed as a retreat from partition. Jessup denies rather sharply accusations of anti-Semitic influence in the State Department or concern about Mideast oil. But he also observes that the Secretary of Defense was properly "afraid of endangering the vital supplies of oil from the Arab countries." Jewish agencies, supported by the Russians, opposed trusteeship because they wanted a Jewish state without further delay. When it became clear that the trusteeship proposal would fail, the United States proposed a mediator. At this point the Jews unilaterally proclaimed the state of Israel. Truman recognized it in such haste that Jessup was caught in the midst of arguing for a mediator, with no change to take place in Palestine's military or political *status quo*. He was informed by delegates of other countries that the United States had already changed the political *status quo* by extending recognition, without troubling to inform its U.N. spokesmen. He is understandably bitter about this. Truman's haste, it seems, was due to his anxiety to beat the Russians.

The common elements emerging from Jessup's account, as regards U.S. policy, would appear to be Washington's treatment of other peoples as pawns in its own power struggles, its disregard of elementary U.N. principles governing the relations among nations, its use of the U.N. as an instrument of national policy, its shutting out of the Russians from even a cooperative U.N. role. As demonstrated by the recent revelations regarding U.S. intervention in Chile and our policy with respect to Greece, this is not simply a matter of past history. In fact, we have President Ford's flat dismissal —at his September 16th press conference —of international law as having any relevance in the determination of U.S. policy.

Despite great power détente, Washington's underlying cold-war purpose persists, and the vast apparatus for intervention and subversion remains. Persisting too, of course, is the bloody quarter-century effort to impose Washington's will upon the recalcitrant people of Indochina. Jessup is accurate in maintaining that the U.N. proved its worth as "midwife" to several new nations whose independence was negotiated there. But it is disappointing that he did not more explicitly evaluate his experience in the light of U.N. principles. If it is true that society is not yet ready for those principles, can they not be projected nevertheless as a standard to be fought for? □

Radical Theatre in Radical Times

STAGE LEFT. *By Jay Williams. Charles Scribner's Sons. 278 pp. $8.95.*

MICHAEL BLANKFORT

Jay Williams, who is also a novelist, has written an engaging record of the radical theatre in this country from World War I to the end of the 1930s, when its decline was caused by two conditions which had a significant effect on our cultural history—mindless redbaiting and the appearance of the subsidized Federal Theatre.

It was tough enough that a Congressman thought Christopher Marlowe was a Red, but how could a radical theatre, based on the free enterprise of ticket sales for its support, compete with governmental grants? Unfortunately, Mr. Williams has settled for superficial reportage. He is content with the who, what, where and when, starting with the pre-depression theatre of the Provincetown Players with O'Neill, Millay, et al, under the brilliant domination of George Cram Cook, through the New Playwrights Theatre with John Howard Lawson, John Dos Passos and Upton Sinclair as its best-known contributors. Williams suggests that the seeds of the radical theatre of the 1930s came from these two innovative contingents, but he has confused sequence with causation.

The cultural base of the pre-depression theatre came from the European post-World War I distress at the failure of a dream, a recurrent malady in the history of intellectual elites. The New Playwrights in particular were inspired by the Bohemian anarchism of Paris and Berlin with its experimentation for its own sake, expressionism as its style, and for its content a free-form apolitical damning of materialism. It dealt chiefly with caricatures, not characters, slogans rather than themes. Perhaps this last element was the only one carried forward by the radical writers of the post-depression theatre.

The greater part of Williams' history deals with the Left theatre groups which flourished passionately and at great sacrifice from 1932 on, among them The Theatre Union, The Theatre Collective, The Workers Laboratory Theatre, dance and film groups, and the one greatest influence, The Group Theatre. Here is where Mr. Williams' research is insufficient. Cross-hatchings of data are suggested while the cross-purposes of the participants are generally unremarked. This theatre was sharply political, and its view of style was to be clear at all costs. Anything that could be obscure—poetry, symbolism, experimentation with form, subtleties of character—was not for audiences who might be seeing a "show" for the first time in their lives. After all, it was the mission of these theatre groups to rouse audiences to an awareness of the unjust conditions of their lives so that they would act to change them. The calculation, of course, was that the working class would be in attendance. Actually, the bulk of the audience was middle class; those who came from unions were mostly Jews who had had considerable background in seeing the lively Yiddish Theatre, including the Artef, its radical version.

Several noteworthy essays in experimentation of form which had fair success were the agit-prop plays put on by smaller groups who worked and lived together. One was Clifford Odets' *Waiting for Lefty*; another was *Newsboy*, based on some free verse by V.J. Jerome, then the cultural arbiter of the Communist Party, which was brought to life by The Workers Laboratory Theatre directed by the highly talented Al Saxe, now, unfortunately, long forgotten. The Theatre Union made one attempt at stylistic in-

Michael Blankfort, one of the founders of The Theatre Union, wrote and directed some of its plays. Since then he has written films and published novels, the most recent of which is I Didn't Know I Would Live So Long *(Charles Scribner's Sons).*

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novation with Brecht's *Mother*. But the author, who was brought over to attend rehearsals, fought strenuously against any effort to create emotional feelings in the audience. His objective, the anti-empathic learning play, was quite alien to the American experience of how you get a "message" over. He didn't care that *Uncle Tom's Cabin* was full of empathy and helped create support for the Abolitionists. As a result of the necessary compromises made, the production failed, and that was the end of The Theatre Union's experimentation.

Stage Left doesn't tell much about the crucial relationship of the Communist Party with the Left theatre; it was in essence a politico-psychological joint venture. As early as 1932, the American Communist Party, in advance of the Comintern, moved toward a united front with Socialists and Left nonparty people. What this meant was that the fellow travelers within the theatres discussed the contents of the plays with either V.J. Jerome or some other comrade at C.P. headquarters. If the play did not win the imprimatur of the C.P., the group doing it faced considerable difficulties. It meant that the reviews in *The Daily Worker* and *New Masses* would be unfavorable, that satellite organizations and unions would not subscribe for theatre parties, and that sympathizers in the producing group would be under constant criticism until the play was either revised or canceled. Nor was there any doubt that the C.P. exerted a decisive influence on the potential audience, although not quite as powerful perhaps as the critics of *The New York Times* or the *Daily News*. It made simple sense to listen in advance, which ended up as a form of self-censorship by which everything was diminished—playwrights, plays and audiences.

Yet that is only part of the story. The workers in the Left theatre of the 1930s believed that what was wrong with the world could be righted, and they thought they knew how a future of universal justice could be established. That's a long way from our present time of distress when the question of whether man has any future at all is being seriously asked.

Not until the black revolutionaries and anti-Vietnamese War militants of the 1960s has any generation felt so hopeful and alive.

I stress this point because astute historians like David Caute, Daniel Aaron and Murray Kempton do not adequately recognize the depth and purity of feeling of the young fellow travelers and party members of that time. Commitment is frequently made to appear like a shallow flourish. Private dreams leading to public deeds, now generally agreed on as decent and even noble, suffer from the implications that all were done by mindless dupes of the Kremlin or hard-handed apparatchiks. It is interesting to remember that some of those who left the Communist Party published their explanations for having done so in a volume entitled *The God that Failed*. To be a betrayed follower of a God is not a human being's worst possible fate.

Looking back, we can say that the intellectuals, Left playwrights among them, should have been tougher-minded, asked sharper questions of those whom they followed. But all that would be a contradiction. In short, how can they be blamed for not being what they were—yearning liberals—instead of practical revolutionaries? It's like criticizing women for not being men.

Jay Williams' report is worth reading for the facts, but he missed the essence of the people who made the radical theatre work. The point is that the 1930s was a decade of hope; that was its pride as well as its tragedy. □

Midwest Taste & Eastern Critics

JUDAH STAMPFER

The Midwestern temper is something of a mystery today. The familiar heartland of our nation, covering most of our territory, it holds tens of millions of people; but our critics seldom capture its ethos with clarity, even those originally from the Middle West. Once established in the citadels of literary judgment, as escapees or sober immigrants, the Middle West becomes for them what they grew out of, a stage in a literary development, rather than a view of life. And yet a painting like "American Gothic" is more than a stage in adolescent growth. It is the very crucible of the American experience, our heartland, sinking its essence into our imaginations like a basin of sulfuric acid.

This difficulty of critics with the Midwestern ethos, that goes back to the close of the 19th century, still shows itself in the assessment of Midwestern fiction, of films developed and shot on the land, autobiographical works of native Midwesterners, essays and attitudes that have become part of our national heritage. It still regularly produces its backlash of rancor from Midwestern writers against the dominance of New York, a rancor made greater by the inevitable insecurity of practicing artists before the bar of critical judgment. James T. Farrell is not the first to endure a lifetime of settled mistrust. Critics and writers produce by a radically different process. They are right to mistrust one another.

And yet the gap between Midwestern intuition and Eastern critical judgment is formidable. Today, critics still suspect the integrity of Midwestern work in art, missing the peculiar flavor of what they read and see. And even when they respect it, its strange Midwestern tang escapes their tongues. The dark Midwestern impulse to bear witness is pushed under a blanket called naturalism, the mysterious and clandestine reserve of Midwesterners, their plain talk, their sense of drift, their sour, dry sense of humor, their combined political grandiosity and skepticism, the lonely lives disintegrating into madness, the music of lostness pervading the prairies, the knowledge that triviality, like the body of God, need have no boundaries.

This block against the Midwestern ethos stems from the long hiatus after the Civil War, when the frontier was plowed under and naturalism began to flourish. Indeed, were it not for the solitary editorial figure of William Dean Howells, who introduced these barbarians to the New York scene, they might never have established themselves, if they had been published at all. Even today, an art critic like Harold Rosenberg can insist that one international style covers America, and that a city like Chicago has nothing Midwestern to offer in art. So also, the torrents of comment on F. Scott Fitzgerald's work relate it increasingly to the Eastern seaboard—only Edmund Wilson has a cryptic reference to the Midwestern air of Fitzgerald's work; and yet Fitzgerald came from St. Paul, Minn., not from Great Neck. Much of *The Great Gatsby* transposes to metropolitan New York a Midwestern sense of the strata of settlement and the drift of time.

Indeed, an authentic Midwestern film like *Badlands* opened in New York only after a delay of months, to gingerly critical respect, with misgivings about its atmosphere of emptiness; a native New York film like *Mean Streets* opened immediately to an enthusiastic welcome and rich understanding. But *Badlands* is as deeply rooted and native to the Dakotas as *Mean Streets* is to Little Italy. The

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reserve manifested at the early showings of *Badlands* resembles the reserve about early naturalistic fiction out of Chicago and Minnesota; but the New York critics know *Mean Streets* by the vinegary wine of Little Italy on their tongues. They must hazard guesses about the Dakotas of *Badlands*. Their report refers to another country; and besides, its dream is dead.

The block that critics have against the Midwestern ethos goes back to an odd historic discrepancy. The Eastern sense of the Middle West stems from classical writers of the first generation of settlement, to whom the frontier was a recent historic experience. Today, there is nothing virginal about the prairies that Walt Whitman rendered as a raw, innocent expanse, opening itself up to earth and sky. Walt Whitman's Midwest still had the breadth of the wilderness behind it, the sense of rotten-new towns popping up like buttons along the rivers. Hamlin Garland was of the first generation after the breaking of the sod. Our great historic experiences of that region are frontier memories, of the Louisiana Purchase, the Lewis and Clark expedition, and wars with the Indians. The Civil War came on the crest of a struggle over the Western territories.

Today, the frontier hangs as a fading veil over a random empty spread, a sprawl of timeless millions of people, who work, multiply, freeze in the winter, and have nothing to do but mark time and survive in the breadbasket of the world. The ethos of that world is not modeled after the Parthenon; nor does Whitman's *Leaves of Grass* render its tilt into madness. It is only suggested in the painting "American Gothic," films like *Badlands*, the wry, cryptic columns of the Midwestern humorists, or Chicago literature like *Studs Lonigan*.

The problem is not simply one of familiarity with the material. The critics of New York and Boston are no more familiar with Iowa and Indiana than with London and Paris during World War I. What is at stake is a cast of mind. The process of selection and arrival in criticism in the status community of New York has clear standards and well-defined goals. These are clarity, balance, orderliness, excellence, the verbal equivalence of the Parthenon; the goal is the lecture hall of a princely university or the editorial pages of an important journal. The people in a position to make arrival possible are not that difficult to discover. The New York critical world as a whole is a higher animal, with a spine and legs that can be recognized, and also the location of its brain. The only question of the apprentice critic, then, is how to reach that brain, get inside it and work it.

The world of the Midwestern writer is a more primitive animal, with scattered ganglia, no clear standards, loose, open, archaic as a giant squid, and shot through with incoherent power. Nor is its temper apathetic or sluggish. On the contrary, the frontier hangs in its memory, with its titanic surge of arrival, touching off occasional manic bursts of frontier euphoria, in Estes Kefauver's coonskin campaigns, the Populist demand for egalitarian democracy, revivals, and cross-country travel.

This world is explosive, only it has nowhere to go. Midwestern writing thus has a sense of berserk irascibility, the determined thrust of a wagon train, channeled out into steel mills and spreading imbecile cities, with an incoherent sense of destiny, now in stagnation, like a hamstrung dinosaur thrashing in a mud pit. This is the very mood of Carl Sandburg's "Chicago." The Midwest received the poem with a roar of recognition, seeing itself rendered as in a mirror, not the frontier prairies of Walt Whitman but sides of beef slapped down in stockyards, steel mills, teeming millions of people ready to explode and with no place to go.

There is a lifelong absorption of writers into the loose spread of the Middle West. These are flatlands, their geographical divisions little more than legal designations, across which one can pass at will. The land is politically naked and without a center, a capital, or any elite enclave. New York and Washington, D.C. are of another world. Here is only a vibrant, productive sprawl. The flatlands of Holland, everywhere invaded by the sea, shaped the imagination of the Dutch landscape artists; the Midwest sinks its faceless sprawl into the imagination of its writers. In this atmosphere, architectural form is a posture and a lie.

The Midwestern novels have a shape and ethos that is huge, undefined, full of half-digested material. Theodore Dreiser's bulky histories and James T. Farrell's trilogies are books without clear vertebrae. Like the land they render, they advance their narrative as complex ganglia shoot lines of growth, with no organizing brain to reduce them to form. Indeed, the loose openness of the land is reinforced by the social informality of its cities. In an area that rapidly shifts to a first-name basis, where so much moving takes place, entire trailer towns pulling together and coming apart, society is as provisional as town boundaries. This provisional character impinges on the very direction and sprawl of the fiction that renders it.

These books have their impact, not by their elegance of structure and finality of statement but by their continuous recognition and immediacy, chapter by chapter and page by page, in works at once instinctual, suave and reserved. Limp as litmus paper, they have a deceptive neutrality. You never know, looking at them to make a critical judgment, whether you are criticizing the books or the sprawl of life they render. You find yourself being sidetracked into issues of sociology and psychology as establishing literary worth.

The New York critic, confronting this material, is like a teacher who tells a student, "This character sketch you have written of your father is incoherent, wordy, contradictory, shallow, imitated from other writers, repetitive, and throughout unpleasant to spend time with." To this, the student replies with cheerful enthusiasm, "That's my father!" The teacher is then uncertain what he is grading, the literary work of the student, or the character of the father who brought him up. So the early critical hostility to Dreiser's *Sister Carrie*, that waited so long to be published.

This temper of witness-bearing has several distinct strands. The Middle West is the home of the Bible Belt, but Baptist, not Puritan, evangelistic, given to group prayers, hymns, revivals, and conversion experiences. Here, the Bible is not simply the Truth but also the Word, a steady spiritual food, uncanny, transnatural, the nearest thing in the Baptist practice to the Eucharist, with exaltation and religious intoxication, a channel of grace and a pathway into the community of saints. Uttering this Word, the minister bears witness to an arrival as close as a human being can come with words.

At the same time, the Midwest naturalistic fiction has elements of the frontier experience itself, but on a literary plane. What the virgin wilderness was to Lewis and Clark, the fresh-settled areas of the prairie were to the writers of the turn of the century. They were raw immediate ground of human experience to be reduced, not to the plow but to the book, the typewriter and the word. Fiction thus rose on a tidal wave of progress, skeptically grappling with it, exposing it, reducing it in size, even as it used its energies and its program, one of bigness, openness, truth. After the land-grant colleges were established, after the three Rs were taught in an orderly fashion in every little red schoolhouse, fiction spread over the land in an irregular yeast, to render what was there.

Thus, in a complex experience of maculation and creativity, outlets of frustration, practicality, dedication and eccentricity were found; the naturalistic fiction of the Middle West unlocked the religious Word and poured it into the

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basin of American experience. All the spigots were opened in this literary frontier. The restless search of faith was relieved of all its religious dogmas and redirected onto the things of this world. As the floodgates were released, they were joined to the impulse to map, measure and open up the new country. The Word was thus released raw over the Midwestern city and countryside.

Such fiction differs from Eastern fiction, from writers like Hawthorne or Henry James. In novels like *Sister Carrie, Maggie: A Girl of the Streets, Studs Lonigan*, catharsis comes with every sentence, as a fresh fleck of reality is rendered on paper. More orderly fiction achieves catharsis as a story is resolved at its close; this fiction has as its function not to resolve a story but to bear witness to American existence. The novelist is a pioneer, reducing experience to literary cultivation. His scope should be large, his evocation thorough. In a sense, all these books might have one title, *U.S.A.*, that also bridges the new journalism of Tom Wolfe and his circle. Bearing witness is their common catharsis.

Such works have a skeptical literary mysticism, with the scope and immediacy of Whitman, but taking common humanity of the Midwest as their leaves of grass. Their irregularity is thoroughgoing, in style and in plot. They approach the given of experience with a Baptist commitment, larger and more inchoate than any plan. Their characters are extreme and surprising, not by a Gothic thrashing for extremes but by a faith that life is larger than anything you can say about it. The extremes of experience in Joyce Carol Oates, wobbling on the borders of the Gothic, yet terrifyingly believable, have this Midwest commitment to raw testimony and witness-bearing.

Their mentality resembles French naturalism at the turn of the century; but it is larger, looser, without as clear a political or psychological program. The French naturalists were in a dialogue with the Roman Catholic Church, the Gallic aristocracy, the city of Paris; the American naturalists were in a dialogue with humanity on their continent. As a result, the city does not come into focus in Joyce Carol Oates as it does in the work of Balzac. Zola is shallow and parochial alongside the inchoate, befuddled fury of *Studs Lonigan*. So Gide is a self-conscious artist, establishing his credentials in a class society. In America, a naturalist would never keep such an elaborate journal, only an extreme surrealist like Anaïs Nin.

And yet, for all their exalted power, euphoria and frontier spirit, a strain of dark pessimism and defeat breathes across the pages of these Midwest naturalists. In their shrewd commitment to reality, they must recognize that their canvas is too large for the human beings pitched across it. No Easterner can imagine the appalling triviality of any individual human being whose life is flung across the American prairies, the moody music of loneliness in lives lived out on the third stop of the local south out of Indianapolis.

A peculiar Midwestern type is the hobo of taste—whether he wanders or stays put is immaterial—who shares whatever drifts across his way, the movies shown nearby, the human beings who come off that suburban local.

I have sometimes gotten lost in Brooklyn, and stopped a passerby to ask, "How do I get to Flatbush Avenue?"

The pedestrian gives me a frightened squint. "It's maybe over that way, 'bout fifteen blocks."

"Yeah? Well, which way is Ocean Parkway?"

"Ask at the corner spa."

Those corners resemble road stops in Arkansas, except that fright has spread an imbecile glaze on the inhabitants. The Arkansas road stop would reply out of a settled solitude, an entrenched withdrawal, childish curiosity at a stranger, a sense of lonely settlement on the prairies.

As a result, Midwest humor has a gnome-like irregularity, sweeping animal fables and eccentric imps. A whole breed of newspaper humorists sprang up, whose vignette short stories border on the grotesque, lanky one-column statements, stripped of all literary embellishments, from humorists like George Ade and the Chicago school. The wry pretensions of the hero of *Badlands*, his role-playing and heroic passes at the end, his patronizing the newspapermen, is all stripped-down Midwest humor, a dry realism, rich with overtones of lonely triviality. Eastern critics remark that he does suggest James Dean, as he thinks, but only fitfully. In point of fact, the flat ending is the genre in which the film is made. Our hero is a local cowboy playing Jimmy Dean. Were he too good at it, he would not be right for the role.

The funky realist art out of Chicago is native Midwestern. If it is imitated in New York today, a Midwest ethos is being transplanted, with whatever success. A New York surrealist like Joseph Cornell works with enclosed material, boxes, framing lines, using objects that reach back in cultural history, with haunting suggestions of old cultural music. A Chicago surrealist like Jim Nutt does more improvisatory pens-and-inks, squiggle figures, gnomes and grotesques, with limbs growing out of one another's

A NOTE FROM THE PUBLISHERS

An informal gathering to honor our Nation Associates will take place on Friday afternoon, November 15th, from 4:30 to 7, at The Players, 16 Gramercy Park South, in New York City.

We take this occasion to pay our long overdue respects to those especially loyal and generous supporters who, over the years, have been keeping THE NATION alive. We also want to welcome new Associates. And we want to give our editors, columnists, and some of our contributing writers the chance to meet the Associates and provide some animating talk on current trends and issues.

Although many of the out-of-town Nation Associates, scattered as they are throughout this country and Canada, cannot attend, we hope many others will be motivated to visit New York, to see old friends, attend concerts, theatre or museums—and to meet us.

We also extend our invitation to those readers who want to *become* Nation Associates. (The annual minimum membership is $50, which includes one year of THE NATION.) They may join as they come to the reception at The Players club. Acceptance can be confirmed by phone or letter.

Linda and James Storrow

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corners like stops on a train line out of South Chicago. Nothing is final in his work; nothing adds up. His lines of cultural reference are to Br'er Rabbit and rural Kentucky, not to Renaissance Florence. (His one-man show at the Whitney Museum was reviewed by Lawrence Alloway in *The Nation* of October 5.)

This Midwest loneliness has elements of the grotesque, but also of deep tragedy; for the discrepancy of human life across the vast spread of America has a more haunting discrepancy. Hanging over the Midwest is the awareness that the frontier is gone, the great dream that drew out caravans of settlers for a richer, better life. There is now nothing here but "us chickens." This balance of the heroic frontier dream and the brutal reality in its wake is the large theme of Midwest awareness. Carl Sandburg's "Chicago" had it, in a choked congestion of power, brutal force, threatening to explode, to go rancid, steaming and producing, a heroism stopped in its tracks.

The Midwestern temper is Chekhovian, with an extraordinary sensitivity to reality, a capacity to render raw pain and futility. Its commitment to bear witness absorbs all the pathos and jarring of human relations. Joyce Carol Oates has stories with columns alongside each other, bearing witness simultaneously to different aspects of a single event. Willa Cather has described at length going slowly mad in the loneliness of—is it Michigan? or Minnesota? Sherwood Anderson's *Winesburg, Ohio* has a series of vignettes of mad gentility, people stranded, pitched out, abandoned, with no place to go.

The Midwestern ethos has an awesome universal power. That's what the earth is slowly turning into, one giant suburb of Chicago—or is it Louisville?—and stranded. □

THEATRE / Harold Clurman

Some of the sentimental charm I found in reading Jean-Claude Grumberg's *Dreyfus* has evaporated in the New York production of *Dreyfus in Rehearsal*. The fault is not with Garson Kanin's adaptation (Ethel Barrymore Theatre). The scene is a small town in the Poland of 1931. Morris, a fervent young idealist, has written and is directing a play about the Dreyfus affair. His cast consists of Jewish men and women of humble origin and calling: a barber, a tailor and the like. None of them has ever heard of Dreyfus. When they are told the "story" they cannot believe that a Jew would voluntarily engage in the military life. And, besides, what gentiles would make a Jew a *real* Captain!

This premise establishes the innocence of the play's characters, their remoteness from the realities of the "big" world. They know about anti-Semitism because it is in the air they breathe, and in relatively calm periods they have grown accustomed to it. But even Zionism is a notion unfamiliar to them, and not especially attractive. They are settled and cozy in their ghetto nook.

Because of the trouble he has making these amateurs understand his play, and after a sudden brutal encounter with anti-Semitic hoodlums to whom he pleads the brotherhood of all people, Morris abandons his staging of "Dreyfus" and goes off to Warsaw, where he eventually joins an underground Socialist group with high hopes for a splendid future. The two youngsters who were rehearsing the parts of Dreyfus and his wife marry and leave for Berlin, from which they write back letters about the good prospects for an unmolested life among the Germans, so much more civilized than the rude Poles. The other participants in "Dreyfus" turn back to doing the old routine stuff of their repertory.

The point and poignancy of this bare plot lie in the sweet simplicity of its people, in whom one sees a reflection of one's own heedlessness. For most of us, informed and educated though we may be, are unaware, indifferent or inert with regard to the evils that threaten us. The play deals specifically with the constant menace of anti-Semitism, even where it is least suspected, but its implications extend beyond that disease. How many of us, for example, understood the connection between the 1936 Civil War in Spain and the worldwide holocaust which followed? Did I not hear a lady of distinguished social standing maintain in 1935 that the horrors of Nazism were being grossly exaggerated?

It is the almost cliché Jewish folksiness that reportedly made *Dreyfus* a huge success last year in Paris. Its casual, relaxed comedy, its avoidance of heavy propaganda set off the breadth of its theme. But for the play to attain its full effect, its idiosyncratic and ethnic humors must be genuine, create a sense of utter authenticity. Unfortunately, much of the acting in Kanin's production is weak, mostly because of ill-considered casting. (Avery Schreiber and Tovah Feldshuh are among the exceptions.) Sam Levene is certainly a proficient actor, but energetic mordancy rather than softness is his forte—and his Jewishness is entirely American and metropolitan. Ruth Gordon is versatile, being capable of tenderness as well as salty bounce, but here she is only an adept professional "making believe." And the actor playing Morris is without sinew or impressive passion.

Boris Aronson's setting is artful in its plainness, but generally speaking the required heartbeat and the gentle flow of honest feeling the play requires are absent. I wanted to like it much more than I did.

The reason for producing *Richard III* at the Mitzi E. Newhouse Theatre of Lincoln Center seems to have been Michael Moriarty. He is a highly talented actor—certain people whose opinion I respect declare him to be our best young actor since Marlon Brando made his debut, while others have already pronounced him "great." I doubt, however, that his Richard will appreciably enhance his reputation.

Some of the details of his characterization are cannily chosen and subtly carried out, but they are evidences of an interpretation which makes little sense in the play's total design. Moriarty's Richard is morally a castrate, a schizophrenic close to cretinism. He is cunning without wit, muscle or force. He seems to live in a wholly private self cut off from everything but his own criminally insane ruminations. But such a Richard can have no eloquence, no hypnotic power to influence, seduce, sway or overwhelm all the people he takes over before his fall.

Thus the production becomes meaningless, and all its actors, no matter what their individual merits, are reduced to puppets. They all speak well—that is, audibly—and there are sharp bits of business in Mel Shapiro's direction, but as living theatre or relevant drama the production is nonexistent. That brings me to an uncomfortable conclusion: Shakespeare for a long time now has been presented not because his plays have intrinsic significance or personal import for the producers and actors involved in them but as exercises in stagecraft. The question is, "What can we do to or with Shakespeare to display how imaginative, brilliant and, above all, innovative we are?" And to that sort of Shakespeare my reaction is: a pox on all your originalities!

The Wager is by Mark Medoff, who wrote last year's Off-Broadway success *When You Comin' Back, Red Ryder?*. Medoff is a talented and clever playwright (Eastside Playhouse). Indeed, he is so clever that I could write three or four different reviews of his new

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comedy, addressing them to different kinds of readers and emphasizing different aspects of the play's attributes. That, I suppose, would make me clever, too.

There is some validity and interest in the play's basic idea: the depiction of three types among young men of recent generations, two of them graduate students in a California university, the other an instructor there. The first of these, Leeds, is a fellow who, for reasons skimpily indicated, has bottled himself up emotionally with logical intellectual verbiage which lends him a semblance of severe rectitude; the second, Ward, is a determinedly coarse and hasty womanizer; Ron, the instructor, is a square whose average decency may be closer to intelligence and truth than the two more striking figures can come. Then there is Honor, discontented with her five years of marriage to Ron. She goes to bed with Ward, who wagers on his easy conquest of her. Honor is one of those in-every-respect-dissatisfied women who is seeking "to find herself," still irresolute about her goal but at the end of her little adventure with Ward bent only upon, and betting on, breaking through Leeds's chaste reserve. Ron, who seems broken-hearted and murderously angry at the start, ends by accepting the situation sanely—everyone is "bored" by his commonplace personality—and quite unaccountably says he's going to Israel, where though not Jewish, he proposes "to kill an Arab." He is humorously contemptuous of the others, in which attitude I and perhaps the author consider him justified.

Medoff's cleverness may be discerned in the treatment of his material with conscious (or unconscious?) artificiality. There is a degree of fake suspense: who will kill whom; will Ron commit suicide; will Honor overcome Leeds, etc.? More telling is the brightness of the dialogue, highly articulate at times, collegiately smart-assed, paradoxically funny, and ultimately "down to earth" in the contemporary vein and vernacular. As presented, this combination is entertaining and unbelievable. What one's final estimate of the piece is depends on what portion of the *shtik* one wants to latch onto. We are allowed freedom of choice which, I repeat, is clever. I could not take the game seriously—nor does Medoff insist that anyone should.

The production is ably directed by Anthony Perkins, the proof being the excellent acting of the three men—Kristoffer Tabori (Leeds), Kenneth Gilman (Ward) and John Heard (Ron). Linda Cook, as Honor, has the least grateful part but does it with intelligent dispatch.

The unusual number of new attractions this season (perhaps a hopeful sign) makes it difficult to allow for more than summary notation of other things I have seen in the past two or three weeks.

I found *The Possessed* in Andrzej Wajda's version of the Dostoevsky novel, based on Albert Camus' adaptation, an interesting event at the Yale Repertory Theatre in New Haven. Dostoevsky can be staged but not dramatized. Though there is violence and something like detective-story intrigue in his fiction, his essence eludes embodiment in theatre or on film. Still, if one knows the book and has an eye for original direction, Wajda's handling of *The Possessed* is arresting.

The great novel is not only an epic tale of mid-19th-century Russian revolutionaries (anarchists, nihilists, dissident religious purists, fanatics and crackpots) but a parable of a world severed from any secure faith. Wajda, a noted Polish film and stage director, has torn pages from Camus' adaptation and given them memorable stage visualization. And though the Yale company is too immature and removed from the Dostoevskian inspiration to give the parts the fullness they demand, the actors are better in this production than in any other I have thus far seen—perhaps because of the director's precision and knowledgeability in shaping characterizations.

Flowers at the Biltmore Theatre, "devised, designed and directed by Lindsay Kemp," is tenuously based on Jean Genet's *Our Lady of the Flowers*. A nonverbal spectacle, it might be described as an Erté color print with diabolic trimming. It may be *Kitsch* (elegant shoddiness), but it is performed with abundant scenic skill at times quasi-balletic. Despite its pantomime exhibition of lurid sinfulness, its projection of infernal horror and grotesquely laughable seediness, there is something naive about it all. It did not make me shudder and I was able to admire Mr. Kemp's talent for the picturesque use of the stage and his control of all its elements—including his players.

Hosanna is a Canadian (Quebec) play by Michel Tremblay, translated from the French. It concerns two homosexuals (one of them a transvestite) and is said to be symbolically about much more (Bijou Theatre). It, too, has overtones of pathos, is well written and well acted. Tremblay, I have been assured, is a dramatist of quality. There was no pleasure or enlightenment for me in this particular play.

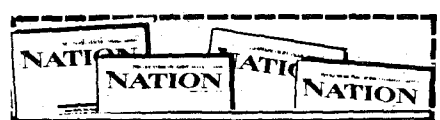
There is much more to be said about homosexuality as a subject for the stage than I have time and space for at the moment. As there is a slew of plays on the matter now on the boards and in the offing, I shall probably find occasion to speak of it in a later column. In this regard *Naomi Court* by Michael Sawyer at Theatre 73 (321 East 73 St.) is worth attention.

The best single piece of acting and the most delightful (though special) material on the stage at this writing is Roy Dotrice's one-man show of John Aubrey's *Brief Lives* at the Booth Theatre. I reviewed it enthusiastically when first shown here (*The Nation*, January 15, 1968) and my appetite for it has, if anything, increased. □

DANCE

NANCY GOLDNER

Rudolf Nureyev's turn in *Aureole* with the Paul Taylor Dance Company on October 14 could have been a mere curiosity show, a chance to see the ballet champ playing on the alien turf of modern dance. He would either make a fool of himself or show up the Taylor dancers for having no special line of communication to their choreographer. Fortunately the first alternative did not happen (Nureyev got through most of the steps quite nicely). And an edifying aspect of the evening was that it showed the second alternative to be an impossibility.



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One of the beauties of *Aureole* is its absolutely unadorned presentation of what has become standard modern-dance technique. *Aureole* is as clean and to the point as a Bournonville or Petipa variation; it shows you what the dancer learns at school.

Having spent most of his days in ballet class, Nureyev naturally could not do with perfect coordination, for example, those skimming, quick jumps where the head must turn from side to side with each jump. That side-to-side motion is as foreign to ballet as the attenuated follow-through of head motions is foreign to modern dance. Because of *Aureole*'s stylistic integrity, its affirmation that East is East and West is West, Nureyev could not bluff his way through such differences. Nor could he fully adapt himself to the peculiarities of the Taylor style, which abound in *Aureole* despite its ecumenical presentation of modern-dance technique. Taylor loves to concoct pogo-stick jumps that spurt in odd sequences of direction. You could see that when Nureyev did these jumps he sorely missed the steadying transitional weight shifts of ballet and the springy reflex action afforded by ballet's turn-out in the legs. (Taylor-brand jumps end with feet in parallel position and heels entrenched in the ground. Wiry exuberance is the point; not *ballon*.) So it goes without saying that any of the men in Taylor's group could have performed the steps with as much or more efficiency, cleanliness and comfort; in fact, for sheer bravado and personal appeal in the male contingent Nicholas Gunn, moving like a mature terrier, won the prize. And if there was a star performer (there was!), it was Carolyn Adams, whose special persona (wise innocence) and style (velvet ebullience) remained as vivid with Nureyev as without him. No Canadian ballerina and few British ballerinas can claim as much.

It also happened that in *Aureole* Nureyev danced better than he had all last spring with the National Ballet of Canada, the Royal Ballet, and again with the Canadians. With Taylor he put himself at the beck and call of choreography instead of presenting himself as a coequal presence, or force. Unburdened so, he could be at ease with his body. When he swung his legs through the air, he let his torso ride on the crest of the motion. Content to dance grandly instead of monumentally, he let the initial momentum of arm movements come from his back instead of from some deep underground pit. He did not press his weight into the floor so as to put the jumps in exaggerated contrast. Neither did he squeeze the juice out of every contrapposto movement nor make hay out of the occasions when his ballet-trained, turned-out legs were turning in for Taylor. Nicest of all, he didn't have any interest in infusing every nook and cranny of every movement with muscular tension. It's this last habit that accounts for the pantherine quality that many have attributed to Nureyev's dancing, but in the last few years the panther has grown increasingly fussy and nervous. Aplomb has become a state of anxiety, self-awareness a matter of peering over his feet to see that they were pointed in the right direction. It seemed that the essential electricity of his dancing lay in outlining in gory detail the difficulties of dancing. Dancing was not a continuum of movement but a series of roadblocks meticulously exposed and heroically overcome.

At one moment in *Aureole* Nureyev swung his leg in an easy arc from behind to the side and he let the swing lift his hip just enough so that he could bend into the raised leg as an anchor, yet use the tilting hip motion to set his upper torso into action. The hip sent the torso and arms into a diagonally upward sweep, and the sweep brought a smile to his face. The entire movement looked good because it looked whole and inevitable (as distinct from natural, an effect that no ballet dancer can approach), and judging from the smile it must have felt good to Nureyev. It was the only time in recent years that Nureyev acknowledged the pleasure of dancing and could justifiably be labeled sensuous. As for the epithet "pantherine," I've always wondered about that one. Panthers slink, and the one somewhat accurate impersonation of slinking I've seen is Groucho Marx's walk.

Nureyev's rehabilitation as a dancer was gratifying enough, but given his often scandalous posturing, bits of scene stealing, and be-ermined interpretations of noblemen with the ballet companies it is worth mentioning that he was a more likable fellow with the Taylor company. He danced with the company rather than above it or parallel to it and in the duet with Eileen Cropley he showed a heretofore untapped gentleness and sense of quietude (although this too may be attributed to Taylor's choreography). As a corollary to his new-found state of relaxation, he transcended the need to announce his presence with the slight pauses and intakes of breath that force audiences to watch him with glued fascination. In *Aureole*'s final section for the entire cast, the audience was for the first time able to absorb the total effect of an ensemble that included Nureyev.

How does one account for this transformation? Seen negatively, it is easy to blame the ballets he's been dancing; for once, he didn't have to be a nobleman or some other kind of exotic. But if you concede that a lyrical dance like *Aureole*, whose message is grace and technical accomplishment, carries within it an expression of dancer as nobleman, then *Aureole* and the big opera ballets are not so far apart. Then too, we had the opportunity to see Nureyev in modest ballets other than *Aureole*—Balanchine's *Apollo* with the Royal Ballet and Limón's *Moor's Pavane* with the National Ballet of Canada—but even these he tore into and shredded. He and audiences at the Metropolitan Opera have established an inbred system of expectation and communication from which there is no escape. Although there were some Nureyev fans at the Alvin Theatre to herald his local premiere with a modern-dance group, perhaps the mere newness of place and situation was enough to wipe the slate clean. He could pretend he wasn't a star—and who would know?

Concerning the Taylor family, another trans-cultural event took place when Nicholas Gunn and Eileen Cropley joined Wendy Hilton's Baroque Dance Company on October 20 for a little exhibition of 17th-century dance and music, the latter supplied by the Ensemble for Early Music. Cropley wore glamorous hooped dresses (a different one for each dance), and Gunn wore velvet knickers, ruffles and fetching chapeaux. They looked terribly snazzy and perfectly comfortable. In the manner of courtly dances, I learned, only the feet move (in kernels of ballet steps), but it was their static backs, so stately and tranquil that you watched. The first moral is you never can tell where the real dance will be. The second moral is, good dancers are good dancers. □

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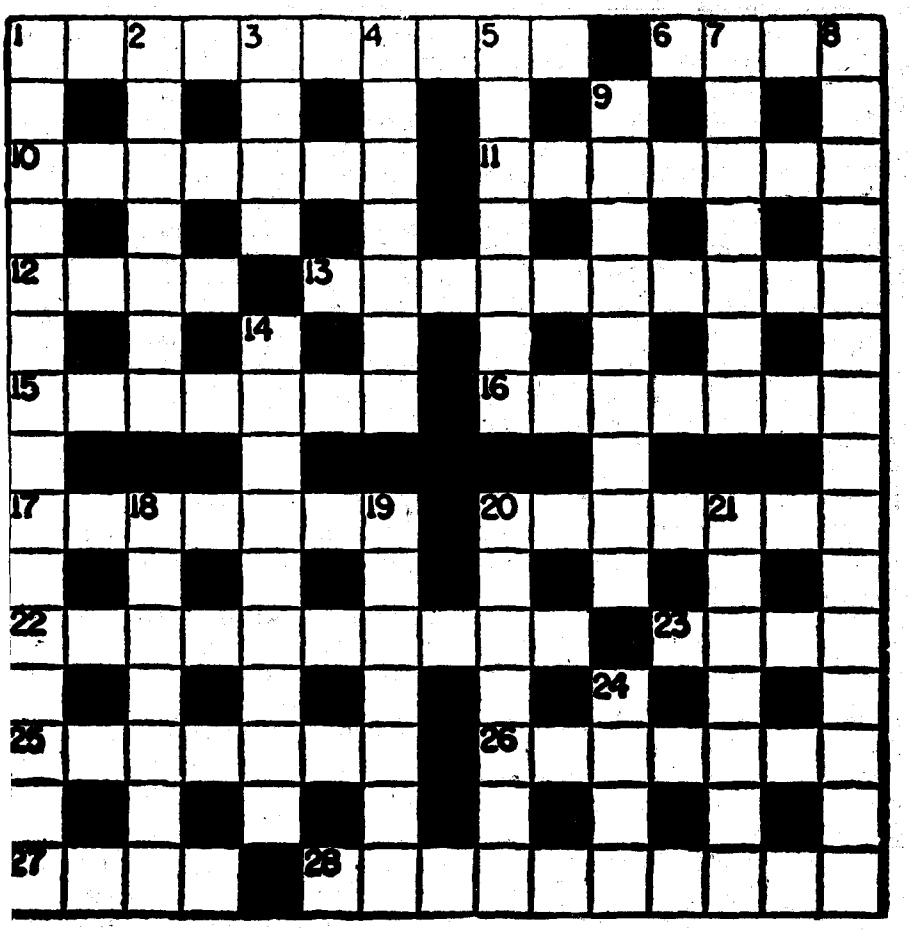

ACROSS

1 "A" is a bad, bad capital. (5,5)
6 Put in a deadly point for the return of the fly-by-nights. (4)
10 Better get the little devil over being shaken up by it! (7)
11 You might swing one in a corner. (7)
12 Opera heroine—or the free-born one. (4)
13 Maid in distress, though she has her share of esteem. (10)
15 Scored, with the head of 22 being in well-known surroundings. (7)
16 Neighboring politician, but rude authoritarian, in part. (7)
17 If you have, you may also have cast off. (7)
20 One who has his doubts may be thus held in it. (7)
22 Apply lots of heat—at last an unusually questionable treatment might be obtained from them. (10)
23 A much older story than "Mame." (4)
25 An indication of temperature drop is, since it's so unusual. (7)
26 Menaces the star, in a way. (7)
27 Joyous types are filled with song. (4)
28 Taking something without the right meaning? (10)

DOWN

1 Quick to be a complainer? (5,3,7)
2 Mine is down at the bank, perhaps, or is up in the station. (7)
3 Light place, best put back. (4)
4 What Polonius said not to do in bed, when stirred up. (7)
5 Likely to be found in broken bits, as John was. (7)
7 Annuity scheme carrying a lot of weight, and to the point. (7)
8 In truth, a stretcher possibly unsurpassed. (5,10)
9 Secret UAR letters, as living examples. (9)
14 Less colorful (and less controversial) than those of 8 down. (5,4)
18 Just think of one having such a perplexing enigma! (7)
19 Hates to find a variety of tsetse under 2's head. (7)
20 If elected, displays one star? (7)
21 They're usually pitched by one who hits them. (7)
24 In favor of a boat? (4)

SOLUTION TO PUZZLE NO. 1558

ACROSS: 1 and 10 Under the weather; 5 Scoffs; 11 Tambour; 12 Sheba; 13 and 14 Plutarch's Lives; 19 Ululates; 22 and 25 Cardsharps; 24 Open house; 26 Night; 28 Bee tree; 30 Ernest; 31 Cyclonic. DOWN: 1 Unwisely; 2 Drape; 3 Rehearsal; 4 Hardpan; 6 Comma; 7 and 29 From cover to cover; 8 Stress; 9 Strung; 15 Velveteen; 17 Technical; 18 Esoteric; 20 Truces; 21 Sweetly; 23 and 16 Double negative; 27 Given.

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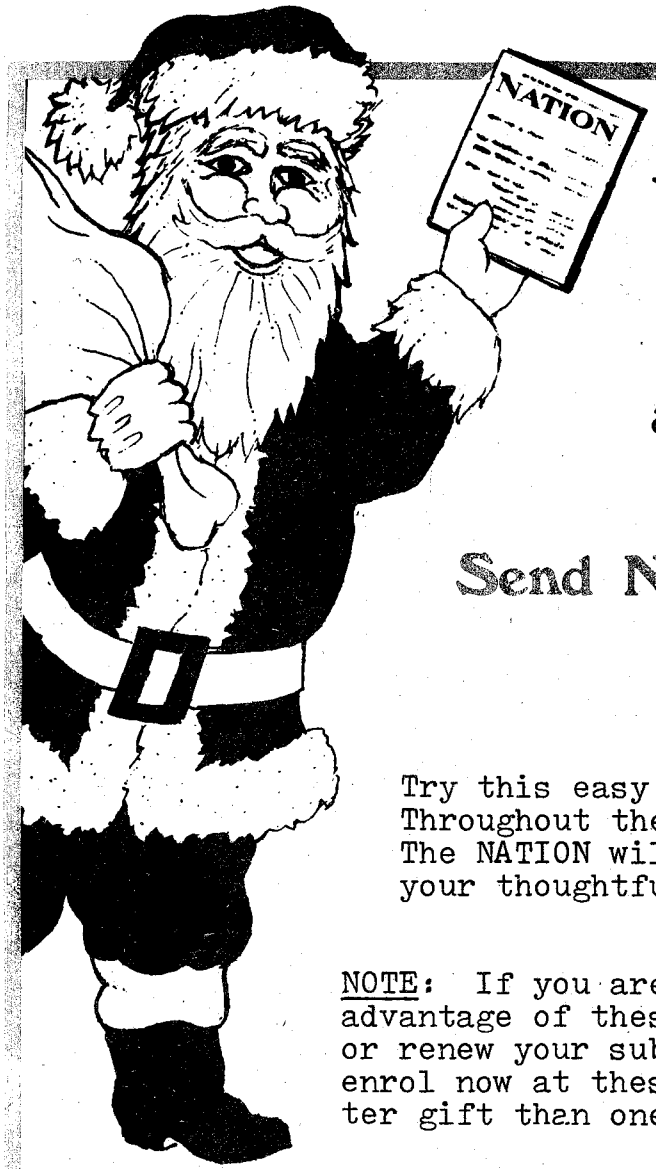

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